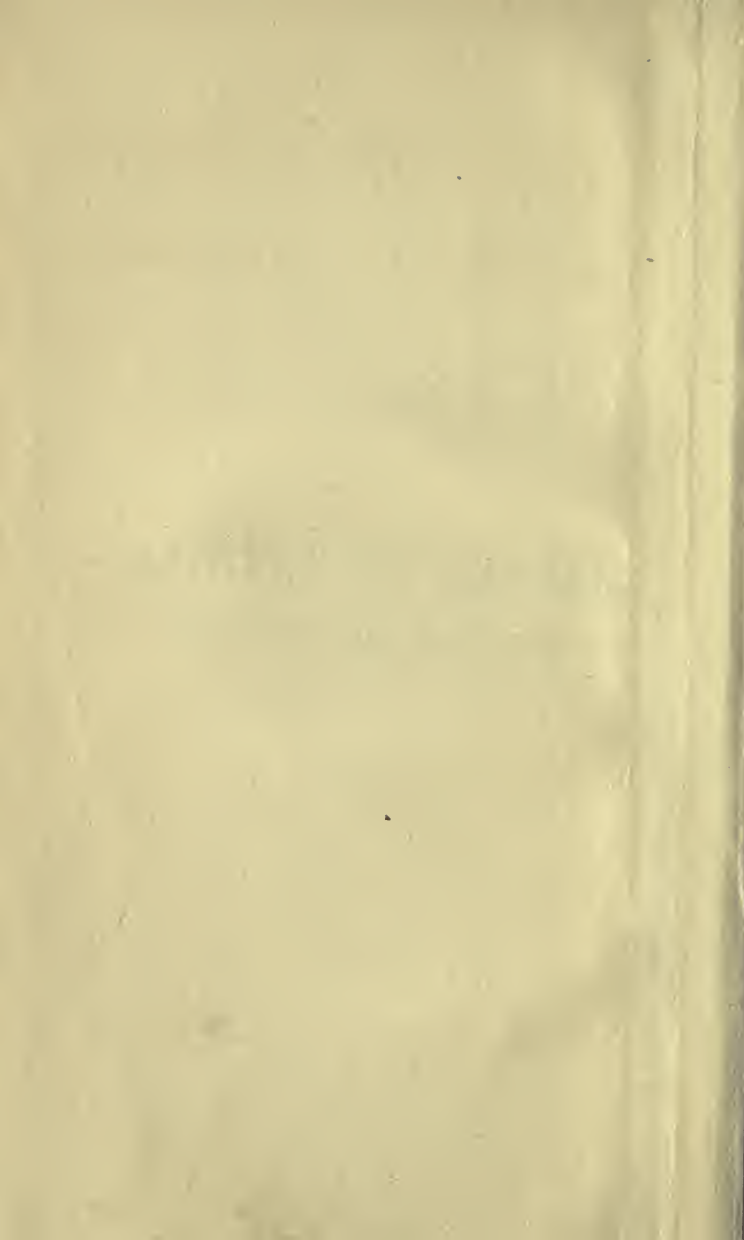




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LEAGUES OF NATIONS

ANCIENT, MEDIAEVAL, AND MODERN



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ANCIENT, MEDIAEVAL, AND MODERN

BY

ELIZABETH YORK

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AUTHOR'S NOTE

DURING the long evolution of the idea of a League of Nations many plans have been devised. Only a few of them have been chosen for this volume. Under the gold and grey dome of the British Museum Reading Room, where an international band of students—yellow, brown, black, and white—silently work, most of my material was collected, and fascinating hours spent in study, while the gloomy echoes of the Great War reverberated through Africa, Asia, and Europe, and its cannon shook even English soil. And now that my writing is finished, I gratefully record my thanks to Mr. G. P. Gooch, M.A., who read the MS. of several of my chapters, and gave me helpful advice; to Messrs. Macmillan and Co., Ltd., for permission to summarize the first part of "De Monarchia" (translated by Mr. F. C. Church) in "Dante," by Dean Church; to Messrs. Constable and Co., Ltd., and to Professor Vaughan, M.A., Litt.D., for allowing me to reprint Professor Vaughan's brilliant translation of Rousseau's essay; and to Mr. Norman Penney, F.R.Hist.Soc., for permission to consult the archives of the Society of Friends, at Devonshire House, with reference to the Tsar Alexander I. It is a melancholy satisfaction to state that the late Mr. W. M. Rossetti read my essay on "De Monarchia," and agreed with my conclusions. My gratitude is acknowledged to

Dr. Evans Darby, Vice-President of the International Law Association, who first encouraged me to write this book; his volume on "International Tribunals" was of great assistance to me. Also "The Development of the Idea of International Organization," by Dr. J. Ter Meulen (The Hague), was very useful. Further, I am greatly indebted to Professor Vaughan for most valuable help in correcting the proofs, and for many suggestions. To my brother-in-law, Mr. W. H. Bracher, for careful criticism of the early chapters, and for assistance in reading the proofs of my last essay and the Appendices, my thanks are hereby expressed; also to my husband for help in correcting proofs; and to a Russian friend, who read my essay on the "Holy Alliance," and provided an interesting note on Alexander I in the Appendices.

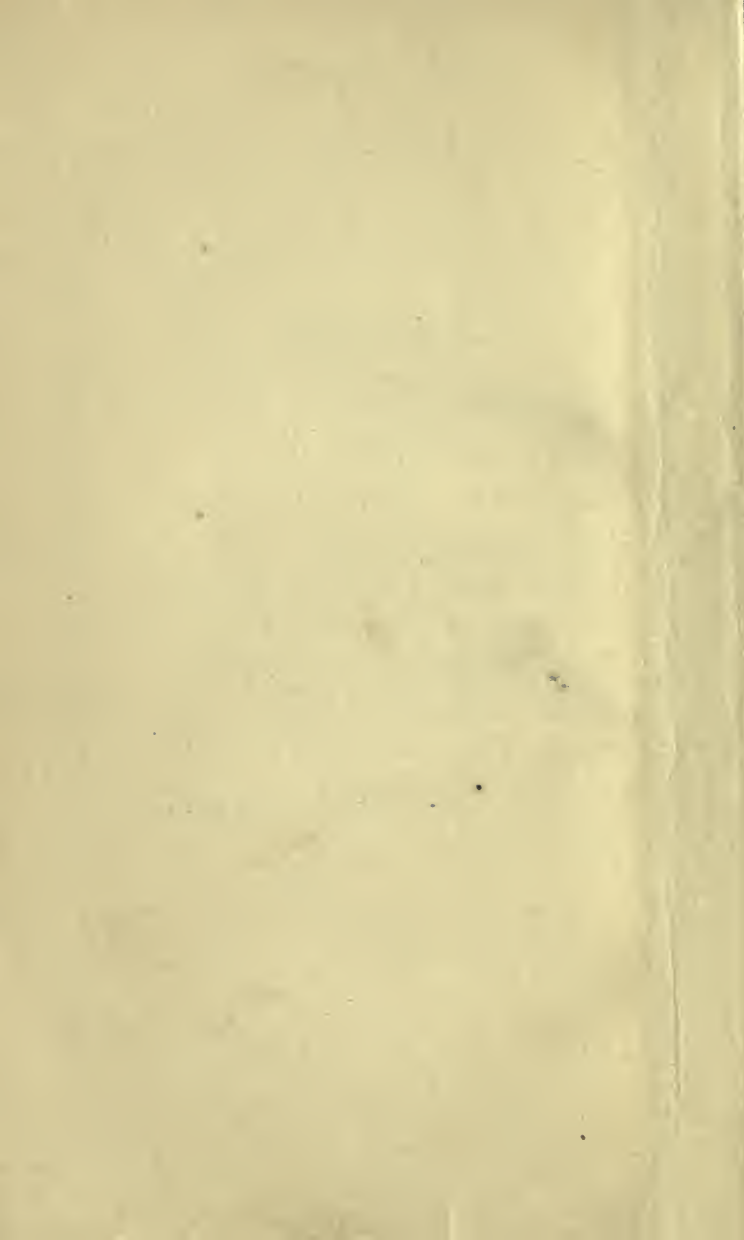
It only remains to add that none of these kind helpers can be blamed for any faults in this book, since I did not always accept their advice or agree with their opinions.

ELIZABETH YORK.

LONDON, *October*, 1919.

CONTENTS

CHAPTER	PAGE
I. ANCIENT GREEK LEAGUES	I
II. DANTE'S " DE MONARCHIA "	37
III. HENRY THE FOURTH'S " GRAND DESIGN "	81
IV. GROTIUS ON ARBITRATION	104
V. WILLIAM PENN'S " EUROPEAN DIET "	114
✓ VI. SAINT PIERRE'S " <u>PERPETUAL PEACE</u> "	154
✓ VII. ROUSSEAU'S " EUROPEAN FEDERATION "	179
VIII. KANT'S " EVERLASTING PEACE "	248
IX. BENTHAM'S " INTERNATIONAL TRIBUNAL "	270
X. ✓ ALEXANDER I AND THE HOLY ALLIANCE	283
APPENDICES	322



CHAPTER I

ANCIENT GREEK LEAGUES

FROM time immemorial, Greece was occupied by different tribes, hostile to each other, and often at war with one another. As Herodotus points out, the chief unifying influences in Greece were community of blood, language (with many dialects), religion, and manners. The same gods were worshipped throughout Greece, although in different parts of the peninsula they might have different attributes. A common religious worship was the chief means of drawing neighbouring tribes into association, and so religion became the most important influence in unifying Greece.

The remarkable archæological discoveries in Crete have proved that in pre-historic times there existed a cultured Aegean civilization, which spread far over the Mediterranean, and had its centre in Crete. These early Cretans were known in Egypt, and it is thought that the Philistines, in Palestine, may have belonged to this civilization. Probably the Cretans went to Greece about 1600 B.C., and how far their religion influenced the early Greek religion is not yet known. But it is known that the Cretans worshipped a great goddess, and that women officiated as priestesses. At the most ancient

Greek temple at Delphi,* where Pausanias states there had been several prehistoric temples, a goddess (Ge, or Gaea, the earth-goddess, called by Aeschylus "the primal prophetess") was also first worshipped, and throughout Greek history, priestesses officiated at Delphi. Later, the god Apollo ousted the older goddess and her successors from Delphi, and the temple was then known as Apollo's.†

An association among independent tribes or City-States, whose members met at stated times round a general sanctuary for worship, was called, in Greece, an Amphictyony—a word meaning the union of the people who dwell around a temple. Curtius remarks: "Such festival associations, or Amphictyonies, are coeval with Greek history, or may even be said to constitute the first expressions of a common national history."‡ There were many such Amphictyonies in ancient Greece, but very few facts about them are known. Ionia, in Asia Minor, had Amphictyonies, also the island of Calauria, and many other regions.

One of the most important Amphictyonies was the island group, whose religious centre was Delos, where Apollo was worshipped, and every fourth year a gymnastic and musical festival in honour of Apollo took place. Thucydides refers to the great antiquity of this meeting, which is also described in the Homeric Hymn to Apollo. The names of the islands, chiefly in the Cyclades, and the cities belonging to this Amphictyony are preserved in an

* See Appendix, I.

† It is impossible to say when Apollo came to Delphi, but it must have been at a very early age in Greek history.

‡ Curtius. "History of Greece," vol. I, p. 111.

inscription. Athens belonged to this group, and when the meeting ceased, revived it, and assumed control of the temple, where the treasure of the League was kept. It was a minor annual festival at this Delian shrine to which the Athenians sent every year a ship adorned with laurel, conveying a sacred embassy. During the boat's absence on this errand, Athens was purified, and no criminal could be executed. Socrates was condemned on the day before the departure of this sacred vessel to Delos, so to the delay in his execution thus caused we owe Plato's immortal "Phaedo."

An Amphictyony of greater importance than all the others was known as the Amphictyonic League, or Council. It met twice every year, in the autumn at the temple of Demeter, at Anthela, near Thermopylae, and in the spring at the temple of Apollo, at Delphi. At each meeting the deputies visited both temples. This League probably had its origin in a very ancient gathering of tribes near the famous Pass of Thermopylae, and its great antiquity is proved by the fact that it was a union of tribes (or sub-races), not of cities. Therefore it dates back to the age when the Greek folk lived in the country, and no towns yet existed. Near the temple of Demeter (the law-giving goddess of fertility, agriculture, and peace) was a temple of Amphictyon, brother of Hellen, the mythical ancestor of all the Hellenes.

The early history of this League is not known, but the names of the twelve independent tribes further prove its ancient origin, in a time when the Dorians had not yet conquered the greater part of the Peloponnesus. It is supposed that the Council first

met at the temple of Demeter, and then afterwards assumed the guardianship of the wealthy temple of Apollo, at Delphi—the most venerated shrine in Greece. Cicero calls this League “the General Council of Greece,” but it never represented the whole of Greece. This Amphictyonic Council was composed of two classes of deputies, one called *Hieromnemes* (wardens of holy things), and the other called *Pylagorae*. The Council itself was called *Pylaea*. Each of the twelve tribes had two votes, and all the votes were of equal value. Some of the *Hieromnemes* were elected, some chosen by lot, as at Athens. Each *Hieromnemon* was accompanied by two *Pylagorae*, who were elected half-yearly. The latter were orators and statesmen. Acts were inscribed as decisions of both these classes of deputies. Besides these deputies, there were secretaries, a herald, and a general assembly of all the other folk present at the gathering: this public meeting was convened by the President of the League, but was only summoned on special occasions, and it met in the open air.

The constitution of the Council was based on the principle of perfect equality among the tribes represented. But although they were equals in independence, they were unequal as to size and importance, and this inequality grew more marked as the chief cities increased in size and wealth. The smaller and poorer tribes had an equal vote with Athens. Sometimes efforts were made to alter the constitution of the Council. Thus, after the battle of Plataea, the Spartans proposed that those who had not fought against Persia should be excluded. This proposal was defeated by the Athenian party,

who feared that "the Council would be ruled by two or three great cities,"* as Plutarch relates.

The oath taken by the members of the Council has been preserved, and is as follows: "They would destroy no city of the Amphictyons, nor cut off their streams, in war or peace, and if any should do so, they would march against him, and destroy his cities, and should any pillage the property of the god, or be privy to or plan anything against what was in his temple at Delphi, they would take vengeance on him with hand and foot, and voice, and all their might."

Grote remarks: "The antique simplicity of this oath, and of the conditions to which the members bind themselves, betrays the early age in which it originated, as well as the humble resources of those towns to which it applied."† The oath shows an advance on the savage warfare of the Homeric age: it also proves that the chief function of the Amphictyonic Council was to guard the temple at Delphi, and to form some rules for lessening the brutality of war. In fact, this oath is one of the earliest examples of interstate law in Europe. It was connected with the worship of the gods, for in those days law and religion were synonymous. Rules of law depended for sanction on religion and morality, they derived their authority directly from the gods; the sanction was believed to be divine. To break the laws was to commit an offence against the gods. This Amphictyonic oath contains certain humanitarian principles, which must gradually have spread in the minds of all the Greeks belonging to the League.

* "Life of Themistocles."

† Grote. "History of Greece," vol. II, p. 173.

Curtius states: "These are the first attempts at procuring admission for the principles of humanity in a land filled with border feuds. There is as yet no question of putting an end to the state of war, still less of combining for united action; an attempt is merely made to induce a group of States to regard themselves as belonging together, and on the ground of this feeling to recognize mutual obligations, and in the case of inevitable feuds mutually to refrain from extreme measures of force. . . . Thus the insignificant beginning of common annual festivals came to transform the whole of public life, the constant carrying of arms was given up, intercourse was rendered safe, and the sanctity of temples and altars recognized. But the most important result of all was that the members of the Amphictyony learnt to regard themselves as one united body against those standing outside it; out of a number of tribes arose a common nation, which required a common name to distinguish it and its political and religious system from other tribes. And the federal name fixed upon by common consent was that of Hellenes."*

A League or Council that represents tribes may seem to have a federal character. But the Delphian Amphictyony was a religious council of men with certain limited duties, though it is true that in later times its activities became more political. It had no power to conduct the foreign policy of Greece; but sometimes it had the character of a national assembly. Freeman insists that the Council was not an instance of Federal Government, and that "it represented Greece as an Ecclesiastical Synod

* Curtius. "History of Greece," vol. I, p. 116.

represented Western Christendom, not as a Swiss Diet or an American Congress represents the Federation of which it is the common legislature."* And he remarks that the wonder is "that no one ever thought of investing the Amphictyonic body with much more extensive powers to be exercised for the common good of Greece. . . . No more speaking witness can be found to the love of town autonomy inherent in the Greek mind than the fact that no such development of the Amphictyonic body was, as far as we know, ever thought of."†

Sometimes the Council preached crusades against sacrilegious cities, or trespassers on the temple property, or disturbers of the pilgrims to Apollo's shrine. There were four so-called "sacred wars," in 595, 355, 340, and 280 B.C. But these wars were not caused by disputes about religious dogmas; there were no such religious wars in ancient Greece. The Hellenes were more truly religious than Europeans in the fifteenth and sixteenth centuries. Holm states that the Amphictyones could "prescribe arbitration instead of war between weak States, but strong ones always resorted to the arbitrament of war."‡

In 346 B.C., after much excitement at Athens, and many eloquent speeches by Demosthenes, who opposed the idea, Philip of Macedon was admitted as a member of the Amphictyonic Council. Demosthenes considered it a treacherous intrigue against Athens. And when Philip presided at the great festival of the Pythian Games, which took place at

* "History of Federal Government," vol. I, p. 127.

† *Op. cit.*, p. 131.

‡ Adolf Holm. "History of Greece," vol. I, p. 229.

Delphi once every four years, Athenians refused to send deputies. No doubt the Council, or League, then assumed a greater political activity, still more so when Alexander the Great became a member. For the result of this intrusion was that the hegemony of Greece passed to Macedonia.

The real function of the Amphictyonic Council, however, was neither to legislate, nor to govern, but to manage a single class of affairs. Therefore, politically, it did not achieve great things. But it helped to unify Greece, and is interesting and instructive as a stepping-stone to later Hellenic federations. Long after it had ceased to have much power, its constitution was reformed by Augustus Caesar, who distributed the votes more justly according to population, and made some of the members single cities—Athens, Nicopolis, and Delphi. Under the Roman government of Greece, the life of the Amphictyonic Council gradually came to an end. We last hear of it in the second century A.D.

The General Council in Henry IV's Grand Design,"* from which all later European plans are descended, was to be modelled on the Amphictyonic Council. So in the far-off days of ancient Greece we find the original germ of the fruitful idea of a League of Nations.

INTERNATIONAL LAW IN ANCIENT GREECE

It is generally supposed that international law arose in Europe in the sixteenth and seventeenth

* See chapter iii.

centuries, with the aid of Gentilis, Grotius, and other writers, and that the ancient Greeks were ignorant of such a system. But the law of evolution applies to international law as well as to municipal law, and the student of Greek literature traces the roots of our modern system to events that took place before the Christian era.

[International law requires for its basis and development two or more politically organized communities; difference of race or language is not the essential matter. For it is obvious that where two organized States have a common frontier, there must be certain customs governing the relations between individuals on both sides of that frontier, and between their Governments, and these customs and usages will gradually become law.] Now the Greeks used the same word to mean "custom" and "law." And so we find that in ancient Greece there were customs and rules regulating the sovereignty of States, the functions of heralds, and ambassadors and their suites, the forming of defensive and offensive alliances, mediation and arbitration, ratification of treaties, neutrality, passports, hostages, reprisals, prisoners of war, espionage, aliens, naturalization, contraband, blockade, and maritime law. [The Greek system differs from the modern one chiefly in the remarkable stress it laid on human equality and brotherhood.] In other respects, their customs and laws were more like modern international law than the customs and laws of the Middle Ages, which were dominated by feudalism. But it would be strange if it were not so. The extraordinary political activity of Greece, her glorious intellectual achievements, and the spirit of freedom and

independence that animated the Hellenes made ancient Greece more akin to the Anglo-Saxon world of to-day than to the political world in the time of Grotius.

Treaties are an important part of international law. We have many records of ancient treaties in Greek literature, and in recently-found inscriptions. It has been calculated that there were more than five hundred known treaties before the Christian era. The Greek treaties are on a great variety of subjects. All treaties had to be ratified by the citizens assembled in Parliament, and treaties of alliance were inscribed on a public pillar, together with certificates of citizenship. Treaties and contracts were under the protection of the gods, and the divine sanction was recognized in a solemn oath which was reciprocally administered on the signing of a treaty. Violation of this oath was a sufficient cause for war.

Hellenic ambassadors had certain fixed rights and obligations, and various kinds of ambassadors were employed on different errands, for which they were specially chosen. There were no permanent ambassadorial posts, like our modern ones. Negotiations were conducted in public, and foreign ambassadors (that is, ambassadors from other Hellenic States) were received by the State Parliaments.* Aristotle informs us that at Athens there were special sittings of the Athenian Parliament (composed of all male citizens over twenty years of age) devoted to the reception and audience of heralds and ambassadors.

* Technically, primary Assemblies; the members were not elected, but they made laws, like modern Parliaments. So the word "Parliament" is used in this chapter for the Greek "Ecclesia."

In some extremely important respects, indeed, no modern State has yet reached the standard of international justice that was upheld by the Hellenes before the time of Christ, particularly with regard to proceedings before war broke out. Nearly two thousand years of Christianity in Europe have not produced so high a standard of international justice as that which prevailed in ancient Greece—the result of the Greek religion, with its intimate communication with the occult world. Several remarkable instances can be found in the parliamentary debates recorded by Thucydides, in his history of the Peloponnesian war. The following case will illustrate the above statement.

Each City-State in Greece founded its own colonies, granting them absolute independence and autonomy, with the exception of certain Athenian colonies called "cleruchies." These Hellenic colonies clustered round the shores of the Mediterranean, in Italy, Sicily, Gaul, Spain, Africa, Asia Minor, the shores and islands of the Aegean Sea, the Propontis, and the Euxine. They were most important agents in spreading Hellenic civilization. Now, one of the causes of the Peloponnesian war was a quarrel between Epidamnus (modern Durazzo), a colony founded by Corcyra (Corfu), and the mother city of Corcyra. Disturbances had broken out in Epidamnus, and her citizens appealed to Corcyra for help, but Corcyra refused assistance. The Epidamnians then appealed to Corinth, the founder and mother city of Corcyra. Corinth agreed to help the distressed colonists at Epidamnus, but Corcyra objected to this arrangement, and proposed arbitration. Corinth, a wealthy and powerful commercial

city, declined arbitration, and declared war. The Corinthian navy was then defeated by Corcyra, which had a strong fleet and command of the sea in that region, and Corcyra began plundering the allies of Corinth. Naturally, Corinth was indignant at this naval defeat: she had plenty of capital, and prepared to renew the war. Then Corcyra, in alarm, sent ambassadors to Athens, to beg for help. The Corinthians, hearing of this move, also sent ambassadors to Athens, and *both parties* explained the situation to the Athenian Parliament—not to a few officials in a Foreign Office. Thucydides relates in his graphic way that the Corcyrian ambassador addressed the Athenian Parliament, and said:—

“If they say that we are their colony, and that therefore you have no right to receive us, they should be made to understand that all colonies honour their mother-city when she treats them well, but are estranged from her by injustice. For colonists are not meant to be the servants but the equals of those who remain at home. And the injustice of their conduct to us is manifest; for we proposed an arbitration in the matter of Epidamnus, but they insisted on prosecuting their quarrel by arms, and would not hear of a legal trial.”*

The Corcyraean ambassador went on with his case, and finally stated that Corcyra was one of the three great maritime powers of Greece, the other two being Athens and Corinth, so if Athens and Corcyra joined their fleets and forces, they could defeat Corinth. When he had concluded his appeal, the Corinthian ambassador began his speech, and fully explained the Corinthian point of view. The Athenian citizen Parliament listened carefully to both disputants, and held two sittings in order to discuss the matter thoroughly. The offer of an alliance with Corcyra

* “Thucydides,” trans. by Jowett, vol. I, p. 25.

and her navy was tempting; the Athenian Parliament, therefore, agreed to her terms and formed a defensive alliance with Corcyra.

Secret diplomacy took place, and was at that time on the side of peace. For in those stormy days of Hellas there was great jealousy of the increasing maritime power of the Athenian Empire, and the balance of power between the different Hellenic States was carefully watched. But, as we learn from this and other parliamentary debates recorded by Thucydides and other Greek writers,* the custom was that the actual decision to declare war, or to form treaties and alliances, was come to by the citizens themselves, after hearing the matter clearly explained by ambassadors from both disputing States, before the State Parliament. It cannot be maintained that our modern Press fulfils the same purpose as these free and open debates before a Greek citizen Parliament, prior to a declaration of war. Greece was always poor in material wealth: modern European States are larger, enormously wealthy, and more powerful. But in the pure gold of human justice, between man and man and between contending States, ancient Greece was richer than any modern State. For who can doubt that if a certain matter in dispute between Serbia and Austria in 1914 had been clearly explained before Parliaments, with all the world as audience, then the recent Armageddon would not have taken place? And when, after this war, a League of Nations and

* Gomperz states that the chapters of "Thucydides" relating these debates, and the speech of Pericles, "form a valuable jewel, perhaps the most valuable jewel in the treasury of Greek prose. . . . Take . . . the funeral oration of Pericles. There the philosophy of Athenian politics is reduced to its quintessence."—"Greek Thinkers," vol. I, p. 516.

World Court of Justice are established, the League should erect in Greece a worthy monument, to signify to all the world the honour that is due to ancient Greece for this contribution to the political history of mankind.

THE CITY-STATE

What was the Hellenic conception of a "state"? We find that they used the same word to mean "state" and "society" or city.* In his "Politics" Aristotle says: "When several villages are united in a single community, perfect and large enough to be nearly or quite self-sufficing, the State comes into existence, originating in the bare needs of life, and continuing in existence for the sake of a good life,†

The Hellenic State, then, was a City-State, including a city and sufficient land for its inhabitants. In the case of Athens, the whole province of Attica (about the size of Kent) was included in the City-State of Athens, and duly enrolled citizen dwellers in Attica were called Athenians. An interesting account of the genesis of this City-State is given by Plutarch, in his "Life of Theseus." This ancient monarch, Plutarch relates, dissolved the small local councils in Attica, and established one council in Athens, and so "a great city arose," whereas before the people "lived dispersed, and were not easy to

* Delisle Burns observes that "polis" was "the name given to society when organized and administered according to law."—"Greek Ideals," p. 65.

† Plato and Aristotle taught that good life alone is the end of the State: that the State is a spiritual association for a moral life—not merely for economic ends.

assemble upon any affair for the common interest. Nay, differences, and even wars, often occurred between them." Theseus promised them "a commonwealth without monarchy, a democracy, or peoples' government, in which he should only be continued as their commander in war, and the protector of their laws, all things else being equally distributed among them." Then, after consulting the oracle at Delphi and receiving a favourable answer, Theseus "laid down his regal power and proceeded to order a commonwealth."

Other City-States arose in a similar way—a number of villages united to form one city, for greater safety and protection. But the old tribal distinctions were still maintained. At a later period the Athenians were re-divided into ten tribes. Many of the Hellenic City-States were rock fortresses, the country peculiarly lending itself to this type of structure. Sparta always remained an unwalled city in a plain, and trusted to the military valour of her sons; but Sparta was an inland town, and not so liable to invasion from the sea as most of the other cities of Greece.

Plato's ideal Republic was also a City-State. "Come then," said Socrates, "let us in our discourse construct a city from the beginning." And after much pleasant and dramatic discourse, the wisest man in Greece says: "Now then, as I imagine, we are forming a happy State, not selecting some few persons alone to make them alone happy, but we are establishing the universal happiness of the whole." This ideal City-State, he argues, must be governed by the few wise men and women guardians, who must be communists, and especially

trained for their work of government. And the philosopher asserts that "till the philosophic race have the government of the city, neither the miseries of the city nor of the citizens shall have an end, nor shall this republic which we speak of in the way of fable arrive in reality at perfection." He also maintains that the idea of the good is "the cause to all of everything right and beautiful."*

In a Greek City-State the city and the land belonging to it formed one undivided whole. Each city was sovereign and autonomous, and therefore each city might, if it wished, have a different form of government. Thus in Hellas there were monarchies—even a double monarchy at Sparta—tyrannies, oligarchies, and democracies, and many varieties of each. A "tyranny" we should more correctly, perhaps, call an "autocracy." So ancient Greece was modern Europe in miniature. In Aristotle's treatise on "The Constitutions" he collected instances of 158 Constitutions, reaching from Carthage to the Brahmins in India, but we only possess a part of this treatise in the recently-discovered papyrus con-

* Mr. Ernest Barker, in "The Political Thought of Plato and Aristotle," p. 15, observes: "From the theory of the City-State philosophy leapt to a theory of the World-State: from the theory of the World-State it has turned back in modern times to that of a Nation-State. Yet through all its mutations it has retained a fundamental unity. . . . We do not therefore come to the study of the philosophy of the City-State as to a subject of historical interest; we come to the study of something in which we still live and move. The City-State was different from the Nation-State of to-day; but it was only different in the sense that it was a more vital and intense form of the same thing. In it the individual might realize himself more easily and clearly as a part of the State, because its size permitted, and its system of primary government encouraged such realization. In studying it we are studying the ideal of our modern States: we are studying a thing which is as much of to-day as of yesterday, because it is, in its essentials, for ever."

taining "On the Athenian Constitution."* Moreover, these sovereign and autonomous Hellenic City-States could, if they wished, change their form of government and adopt a new constitution, and if any city did so, the rest of Hellas did not therefore consider its citizens as being evilly inspired. On the contrary, in that fresh and invigorating air of the early morning of European political history, a change of constitution was generally regarded as a wise attempt to take a higher step on the ladder of progress. This change might be caused by violent revolution or by peaceful agreement. There are many instances given in Greek literature of these changes of government: often wise men from other cities were invited to come and advise the citizens about a new and more suitable constitution. In Athens alone, as Aristotle relates, there were eleven changes of the constitution, and democracy finally gained the supremacy. The Spartan constitution, founded by Lycurgus, was the most permanent, and lasted with one change—the institution of Ephors, to limit the royal power—for five hundred years. Plutarch, in his "Life of Lycurgus," says: "It was not the design of Lycurgus that his city should govern a great many others; he thought, rather, that the happiness of a State, as of a private man, consisted chiefly in the exercise of virtue, and in the concord of the inhabitants; his aim, therefore, in all his arrangements, was to make and keep them free-minded, self-dependent, and temperate."

In all the City-States the right of citizenship was most carefully guarded. Herodotus says that

* This papyrus, which was discovered in Egypt, is now in the British Museum.

Sparta only granted citizenship to two foreigners. Athens was the most cosmopolitan city, and admitted notable "barbarians" as citizens, also naturalized aliens with restricted privileges. The statesman Cleisthenes enrolled many aliens as Athenian citizens, but this was only done in order to increase the population to a desired limit. The Athenian youth at the age of eighteen had his pedigree carefully inquired into by the older men of his deme (district, or parish); if both his parents were citizens, his candidature for citizenship was successful; if one parent was not enrolled citizen, he must appeal to the law courts. The question of over-population, or under-population was of great importance in these walled cities with limited boundaries. A city with a surplus population could found a colony or fall back on extreme severity in excluding from the citizenship every vestige of alien blood. Nearly every citizen was a landowner; land tenancy was almost unknown; many of the Hellenic citizens, in fact, were practical farmers.

In Athens, about which City-State we know most, every male citizen must, at one time or other, have taken part in public business, so that every man could make it his aim to devote his best mental faculties to the service of the State—not merely to filling his own pockets. The ideal of Athenian democracy was complete self-government, combined with freedom and as much individual liberty as possible. Sovereignty resided in the people, and was inalienable. The sovereign citizens legislated, when it was necessary to make new laws, judged, and administered the laws. Each male citizen, over twenty years of age, was a member of the "Ecclesia," the Assembly,

or Parliament, which met on a hill called the Pnyx, in the open air, or sometimes in the large open-air theatre, and the sittings were usually held in the early morning. All officials were chosen by lot, or elected by vote of Parliament — even ambassadors and military and naval officers. Besides the Parliament of citizens, there were the Areopagus, the ancient Council which existed throughout Greek history; also the Council of Five Hundred, the latter chosen once a year by lot, fifty from every ten tribes. The Prytanes (a kind of non-party Cabinet) messed together at a public table, and convened the meetings of the Council and Parliament, also arranged the agenda for both.* The Parliament met several times a month. The Council was a parliamentary committee, and divided into sub-committees: each member was paid five obols a day; and the committees had secretaries, treasury officials, and a herald. These committees met every day, except feast days, and their meetings were usually open to the public. They had large administrative and judicial control, drew up the Budget, supervised the army, navy, and docks, heard cases of impeachment, and farmed the State revenue. The Prytanes prepared all business for the Parliament; their resolutions were proposed to Parliament, and the citizens amended them if necessary, and they then became law. The Dicasts, or judges, were chosen annually by lot, six hundred from each ten tribes, from those male citizens over thirty years of age, who voluntarily offered themselves for the work. Each Dicast was paid three obols a day for attendance—the day wage of an

* Aristotle states that they were, like all Magistrates, elected by lot; each tribe held the office of Prytanes in turn, the order being decided by lot: 4 served 36 days each, and 6—35 days each.

artisan. They were divided into different courts of justice, and their jurisdiction was over matters of every kind. Thus we see that the Hellenes did not consider it necessary for highly-trained legal minds to decide on judicial matters. The biggest Athenian Parliament recorded included three thousand six hundred and sixteen citizens. It has been computed that the population of Athens in the fifth century may have been about thirty-five thousand citizens, forty-five thousand aliens, and eighty thousand slaves. Of these citizens, twenty thousand were civil officials, and the peace establishment of the army and navy was about six thousand. All male citizens from eighteen to twenty years of age had to undergo military training, and so every man, in time of war, could be called on to fight. Socrates, Euripides, Xenophon, and all the great Greek writers, were practical soldiers or sailors. But no State has ever been freer from a military caste. Although the Council of the Five Hundred embodied the principle of local representation, it should be noted that Parliament consisted only of citizen voters—not their representatives—and no resolution could become law against the common will of the citizens themselves. The Hellenes would have considered themselves as slaves if they had not made their own laws.

“Athens alone among Greek States,” says Warde Fowler, “and that not without risk both for herself and Greece, solved for a time the problem of developing the best fruits of individual genius and ambition through and together with the full glory of the City-State.”* And Fowler shews clearly that “in no other age or State has so small a popula-

* “The City-State of the Greeks and Romans.” Warde Fowler. p. 149.

tion produced so many men of genius, whose rare taste and ability were not wasted or misdirected, but stimulated and called into healthy action by the very circumstances of the everyday life they lived."*

Magnificent as were the achievements of Athenian democracy, its basis was not perfect. Now, Aristotle asserts that "justice is a virtue, and so necessary to society, that all others must yield her precedence." Yet this glorious Athenian democracy was combined with the political and social subjection of women, and slavery. A Greek woman was enrolled as a citizen, but had no political rights, and could not even choose her own husband. Only in Sparta the women had more freedom, much power, and a strictly hygienic education. But although they had no political rights, Hellenic women had a remarkable and predominant position in the Greek religion, which was supported by State taxes, and Hellenic religion was intimately associated with politics, and with the whole social life of the people. In the temple celebrations women were high priestesses and priestesses, and conducted one State religious festival themselves, electing their own officials. And religion was the most powerful international force in ancient Greece.†

* *Op. cit.*, p. 175.

† Delisle Burns writes: "The leading characteristics of the social life of Athens were rather what we may call religious; for it was concerned chiefly with the relations of the group to certain non-human or super-human realities within or behind the world of sense. This is the original influence which forms the Athenian ideals of life and character, and in this religious sphere the highest embodiment of social life was always found. The *polis* of fact was in the main a religious union, and the ideal *polis* was also in the main religious." ("Greek Ideals," p. 2.) Also he states "it is fundamental that the religious activity of the Athenians was shared by all. There was no segregated caste of priests, and although certain families had special religious functions, the most characteristic feature of Athenian festivals was that every member of the society had some function to perform." *Op. cit.*, p. 5.

"Greek religion," writes Walter Pater "is at once a magnificent ritualistic system, and a cycle of poetical conceptions."*

The Hellenes considered slavery to be the normal condition of the working classes, as it was, indeed, throughout the ancient world for many centuries. Aristotle writes that some men were by nature formed to be slaves, and that it was right they should be slaves, even by force. Plato called slaves "fellow-workers." The Athenians were a kindly race: in their market-place was a statue to "Mercy," and we hear of no slave revolts in Attica, as there were in Spartan territory. War the Hellenes waged with vigour, but they never adopted gladiatorial combats. The slave could procure his own freedom; if he saved enough money, and deposited it in a temple, the priest bought him from his master, the god set him free and guaranteed his freedom. Many slaves were well educated, and employed as tutors and scribes. The question of slavery was debated by philosophers, and even discussed on the stage. The New Testament writers also considered slavery the normal condition of the working classes. In the eighteenth century, by the Treaty of Utrecht, English statesmen and an Anglican Bishop legalized slavery for African natives; Europe did not unitedly contradict this standard of morals until the Congress of Aix-la-Chapelle, in 1818, and within living memory the United States fought a sanguinary war to settle the question.

Aristotle's political wisdom, then, had definite limits. Gomperz says that he had "a preference for comparatively narrow and circumscribed horizons";

* "The Renaissance." Walter Pater. p. 290.

. . . "wholly foreign to him is the thought that individual freedom, including freedom to err, can be among the number of desirable things; that not only is the power of the State always wielded by fallible hands, but, that apart from this, spontaneity of action and diversity of characters and situations bound up with it, are in themselves of incalculable value. The vision of these truths was reserved for the Athenian Demos, its leader Pericles, and the philosopher among historians, Thucydides."* Aristotle's "Politics" gives us no guidance on the more complex problems of federation and Empire. His ideal State is the small City-State, close to the sea, quiet, secluded, and non-commercial—the labour to be done and land cultivated by aliens and slaves. He thought that the highest form of social union—that which permits the greatest individual culture, liberty, and self-government—is not the Empire, but the simple City-State, autonomous and sovereign.

It was in order to guard against the growth of autocratic power within the commonwealth, that the Hellenes adopted for a short time the system of ostracism: by means of a majority of six thousand, the citizens could banish any dangerous person. And they thus banished from Athens, or even killed, some of their wisest citizens. But the prospect of exile may have been a salutary check on ambitious demagogues.

Notwithstanding these flaws in the constitution, there arose within the City-State of Athens, in the clear and sunny air of ancient Hellas, the most glorious art and literature that the world has ever seen. "The republics of ancient Greece," says

* Gomperz. "Greek Thinkers," vol. IV, p. 312.

Professor J. B. Bury, "had performed an imperishable work; they had shown mankind many things, and above all, the most precious thing in the world, fearless freedom of thought."*

Writing many centuries after Plato and Aristotle, a later political thinker, Rousseau, said: "The essence of the body politic lies in the reconciliation of obedience and liberty, and the words subject and sovereign are identical correlatives, the idea of which meets in the single words 'citizen.'"† For a funeral oration over the soldiers who first fell in the Peloponnesian war, Pericles eloquently explained the ideal of Athenian citizenship, in which "subject" and "sovereign" were, as Rousseau writes, synonymous. Pericles said:—

"Our form of government does not enter into rivalry with the institutions of others. We do not copy our neighbours, but are an example to them. It is true that we are called a democracy, for the administration is in the hands of the many, not of the few. But while the law secures equal justice to all alike in their private disputes, the claim of excellence is also recognized; and when a citizen is in any way distinguished, he is preferred to the public service, not as a matter of privilege, but as the reward of merit. Neither is poverty a bar, but a man may benefit his country whatever be the obscurity of his condition. There is no exclusiveness in our public life, and in our private intercourse we are not suspicious of one another, nor angry with our neighbour if he does what he likes; we do not put on sour looks at him which, though harmless, are not pleasant. While we are thus unconstrained in our private intercourse, a spirit of reverence pervades our public acts; we are prevented from doing wrong by respect for the authorities and for the laws, having an especial regard to those which are ordained for the protection of the injured as well as to those unwritten laws which bring upon the transgressor of them the reprobation of the general sentiment. And we have not forgotten to provide for our weary spirits many relaxations

* "History of Greece," Prof. J. B. Bury, p. 836.

† "The Social Contract."

from toil; we have regular games and sacrifices throughout the year; our homes are beautiful and elegant; and the delight which we daily feel in all these things helps us to banish melancholy. Because of the greatness of our city, the fruits of the whole earth flow in upon us; so that we enjoy the goods of other countries as freely as our own. . . . For we are lovers of the beautiful, yet simple in our tastes, and we cultivate the mind without loss of manliness. Wealth we employ, not for talk and ostentation, but when there is a real use for it. To avow poverty with us is no disgrace; the true disgrace is in doing nothing to avoid it. An Athenian citizen does not neglect the State because he takes care of his own household; and even those of us who are engaged in business have a very fair idea of politics. . . . To sum up: I say that Athens is the school of Hellas, and that the individual Athenian in his own person seems to have the power of adapting himself to the most varied forms of action with the utmost versatility and grace."*

THE CONFEDERACY OF DELOS

This brilliant Athenian democracy in the time of Pericles, however, rested on the power of the Confederacy of Delos. This League, with Athens at the head, included the Hellenic cities in Asia Minor, many of the Aegean islands, the Cyclades, Euboea, and other maritime cities on the shores of Thrace and the Propontis. It was a League of maritime States, and the basis of the common agreement was that each city should provide ships for a united fleet—the first instance of an international navy and police force. Many of the smaller cities could not provide ships, so they paid sums to a common treasury which was on the island of Delos, at the ancient Temple of Apollo. Athens had docks and skilled workmen, and could build the triremes and penteconters more easily than many of the allies. The Council of the Confederacy met at Delos, and each

* "Thucydides," trans. by Jowett, vol. I, p. 126.

member had an equal vote. But Athens being the most powerful city had, from the first, the hegemony, and gradually she transformed the League into a maritime Athenian Empire. The Confederacy was formed in defence against Persia, and the fleet waged war against Persia, and policed the Aegean Sea, where pirates always led an active and adventurous existence. Athens converted the allies into subject States paying tribute to her, removed the Treasury from Delos to Athens, and compelled the States to give military as well as naval assistance. The States accordingly lost their autonomy and sovereignty, and Athens imposed democratic constitutions on all of them; further, they lost control of finance and judicial affairs, and legal trials must take place in Athens.

This Athenian Empire was opposed to most of the best political thought in Athens, and it lasted not much more than fifty years. Hellenic political genius would not permanently surrender authority to one State; the citizens had too intense a love of freedom, in the colonies as well as in the mother cities, to submit to such limitations of their power.

Fifteen years after Pericles' eloquent funeral oration, an event occurred which clearly shews the effect of Imperial ambition on the minds of Athenian democrats. Pericles, the wise statesman, admiral, and general for many years at Athens, had, as Plutarch relates, "curbed this passion for foreign conquest, and unsparingly pruned and cut down their ever busy fancies for a multitude of undertakings, and directed their power for the most part to securing and consolidating what they had already

got, supposing it would be quite enough for them to do if they could keep the Lacedæmonians in check." But after the death of Pericles, "a great corruption and flood of mischief and vice followed." During the Peloponnesian war the Athenians sent a fleet to attack Melos, a colony of Lacedæmonia that had remained neutral during the war. Before doing any damage, the Athenian generals sent envoys to debate the matter, and the Melians desired the envoys to explain their errand to their magistrates and leading men—not, as the custom was in such cases, to the citizen Parliament. The Athenians were annoyed that they were not allowed to follow the usual custom, and explain the reasons for their attack on the island to Parliament. Thucydides gives a dramatic account of this debate, in which the Athenian envoys maintained the doctrine of *might before right* in brutally plain language. The Athenians said:—

"Well, then, we Athenians will use no fine words; we will not go out of our way to prove at length that we have a right to rule, because we overthrew the Persians; or that we attack you now because we are suffering any injury at your hands. We should not convince you if we did; nor must you expect to convince us by arguing that, although a colony of the Lacedæmonians you have taken no part in their expeditions, or that you have never done us any wrong. But you and we should say what we really think, and aim only at what is possible, for we both alike know that into the discussion of human affairs the question of justice only enters where there is equal power to enforce it, and that the powerful exact what they can, and the weak grant what they must."*

The Athenians refused to make any concessions, and invested the island, which surrendered some months later; then all the Melian men of

* "Thucydides," trans. Jowett, vol. II, p. 168.

military age were slaughtered, the rest of the islanders enslaved, and Melos was colonized by the Athenians.

The deliberate violation of a neutral State was defended by the Athenian envoys, who scoffed at all oracles and prophecies—thus shewing how far they were from the spirit of Pericles and from the guidance of Greek religion. Their speeches in the debate with the Melian magistrates are, as Gomperz says, “a profound disquisition on the law of nature,” . . . “and shew with unadorned plainness that the essential and decisive factors in international relations are the interests and the comparative strength of States.”* So this—this, and not justice—was the standard of international morality upheld by Athens, as a result of sixteen years of almost continuous war and imperial ambitions! Echoes of these speeches at Melos came down the centuries, and were heard in August, 1914—how tragically for Europe!—over Belgium.

No doubt it was the rapid rise of the Athenian Empire, and the result—the Peloponnesian war of twenty-seven years to restore the balance of power—ending in the ruin of Athens and the fall of the Empire, that finally convinced Aristotle of the greater happiness of the small City-State. And the exploits of his brilliant pupil, Alexander the Great, with his vast project for fusing Asia and Greece, still less convinced the philosopher of the equality of intellect of “barbarians” and Hellenes.

The Confederacy of Delos was not, indeed, a true federation of States, but we see that the idea of co-operation between City-States was developing.

* Gomperz. “Greek Thinkers,” vol. II, p. 25.

THE ACHAEAN LEAGUE

Between the Hellenic City - States, with their limited boundaries, there were frequent jealousies and rivalries, leading to wars. Now, a City-State, although self-sufficient in peaceful days, was not so in times of war. A smaller city must ask another one for help in fighting a more powerful city. So various small Leagues sprang up here and there. Aristotle said that the Hellenes were capable of commanding the whole world, "could they agree upon one system of policy." But their innate love of freedom and independence made it extremely difficult for them to co-operate, even with other Hellenes. Even when they were facing the danger of an invasion by the Persian army of millions they could not unite to defend their country; some City-States remained neutral, others gave "earth and water" to Xerxes, and helped to betray Hellas. But many States thus learned that in order to defend Hellas from foreign invasion they must sacrifice a certain amount of independence.

Well knowing that the Lacedæmonians were jealous of Athens' imperial power, Pericles summoned a Pan-Hellenic Conference at Athens, on the eve of the Peloponnesian war, to consider the national affairs, the freedom of the sea, and for "jointly regulating the affairs of Greece." It is possible that he intended to propose a Federation of Greece, for Plutarch writes of "the greatness of his thoughts." But, unhappily, the Conference never met, owing to Sparta's jealousy and fear of Athenian hegemony. Had it met, and agreed on a Federation of Greece, the later history of the country might have been very

different. But it did not meet, so the Peloponnesian war broke out, and devastated the country for twenty-seven years. Plague, crime, famine, revolution, depopulation, and economic bankruptcy accompanied the war. Even Persian gold, for which the once proud Hellenes had to beg, could not save the country. And within a century Greece became a Macedonian province. So the failure of the isolated City-State was proved.

Then Leagues began to be formed. The Pan-Hellenic League, formed by Philip of Macedon and Alexander the Great for the conquest of Persia, had no real unity, and did not last long after Alexander had started on his ambitious adventures in Asia. A map of Greece of about 189 B.C. shows almost the whole country, with the exception of Attica, divided among a number of Leagues. The Aetolian League was a powerful Confederacy. The whole of the Peloponnesus was controlled by the Achaean League. The other Leagues were not permanent, and none were so powerful as the Achaean League, which had existed for a long time, in a weaker form, in Achaia, the northern part of the Peninsula, on the shores of the Gulf of Corinth.

After the death of Alexander the Great, and the division of his Empire, and while the Macedonian King was invading Greece, a few small cities in Achaia revived their ancient League. The Macedonian danger, and the "cloud in the West"—the growing power of Rome—made neighbouring City-States gladly join the League, which rapidly grew in numbers of allies. But Athens and Sparta, the chief cities of Hellas then, held aloof. The object of the League was the union of all the Peloponnesus and,

if possible, the whole of Hellas, in one free and equal Federation. Other Hellenic statesmen had worked chiefly for their own cities. The founders of the Achaean League had a nobler aim, and this League gave, as Freeman says, "to the political thinkers of after times one of the most valuable subjects for reflection which all ancient history affords."* Polybius, the Greek historian, was a member of this League, and gives us much information about it. Also Plutarch, in the Lives of Aratus and Philopomen, writes of their achievements as Generals, or Presidents, of this League.

Originally there were twelve cities in the Achaean League; when it reached its greatest power there were about seventy City-States, including both Corinth and Sparta. The constitution of the League was purely federal. Each city was a separate State for the purpose of Home Rule, but one central Assembly regulated all foreign affairs. Every citizen of each city was also a permanent member of the central Assembly, and each city, large or small, had an equal vote. The Assembly arranged alliances and declared war: it met twice a year, at first in one city, but later in different cities in turn. Special meetings of the Assembly could be convened by the President, who was called "Strategus," or General. He was elected annually, and only held the office for one year, but could be re-elected after a year's interval. A Cabinet of ten ministers was elected annually by the Assembly, at the same time as the General's election. There was also a Council of one hundred and twenty members, which prepared the agenda for the Assembly; a Senate, about which little is

* "History of Federation," vol. I, p. 237.

known, and a Federal Law Court. In time of war the General was Commander-in-Chief, with absolute authority. The higher federal offices were unpaid, and probably could only be filled by wealthy men. The whole country included in the League used the same coinage, weights, and measures. The General attended the Assembly, and moved resolutions, which, when passed, became federal laws. Every citizen member was eligible for any office in the Federation.

There is no evidence that the central Assembly or Government interfered with the laws or constitutions of the allied City-States after they joined the League, but first they must have democratic government. Nor could the General become a Dictator, since he was only elected for one year, and every alternate year he became a private soldier. The Assembly voted supplies, and there was a small standing army and a navy; also the League employed mercenary troops. The Assembly ratified all treaties and alliances. Dependent townships were raised by Philopoemen to the rank of independent City-States, and incorporated in the League. Thus the Achaean League avoided the error of many modern schemes—the crystallization of the *status quo*—and wisely provided for the growth of new States. But it also compelled unwilling cities to join the League. And it was weak financially; it had no power to make defaulting States pay their contribution to the general Treasury. The Achaean League was formed too late to offer any successful resistance to the great power of Rome, and when Greece became a Roman protectorate, and was called "Achaia," the League was dissolved by the Roman conquerors, who did all they could to suppress Federalism in Hellas.

During the debates and Press discussions in the eighteenth century in the United States of America, on the constitution, while it was in process of formation, writers in "The Federalist" (called by J. S. Mill "the most instructive treatise we possess on federal government") described the Amphictyonic Council and the Achaean League. In an interesting article, Hamilton and Madison wrote of the Achaean League: "Could its interior structure and regular operation be ascertained, it is probable that more light might be thrown by it on the science of Federal Government than by any of the like experiments with which we are acquainted."* And it is instructive to note the likenesses and unlikenesses between the United States constitution and that of the Achaean League, formed nearly two thousand years ago.

In this brief sketch of political evolution in Greece, we see that the Hellenic nation, which was the product of intense racial fusion, progressed in the course of a few centuries from the Amphictyonic Council—at first a religious gathering of tribal representatives at the Temple of Demeter—to the elaborately organized, sovereign, and autonomous City-State; to the Confederacy of Delos, which developed into the Athenian Empire of short duration, and finally to various forms of Leagues, culminating in the League of Achaia, a true Federation of States.

Much the same process is going on to-day on the larger stage of the world. The most advanced political States, those of the Anglo-Saxon race, have become democratic Federations. Since the United

* "The Federalist," p. 112. Both League and Council are also referred to by Rousseau—chapter vii.

States of America adopted its fine constitution, Canada, Australia, and South Africa have become Federations. Though limited as to foreign policy—a defect which must be remedied after this war—the self-governing British Dominions have more freedom than the United States, with regard to tariff and other matters. “When the conditions exist for the formation of efficient and durable Federal Unions,” writes John Stuart Mill, “the multiplication of them is always a benefit to the world. It has the same salutary effect as any other extension of the practice of co-operation, through which the weak, by uniting, can meet on equal terms with the strong.”* Will the British Isles become a free Federation of States, and the British Empire also confer this “benefit to the world,” and to its component parts? Will Austria, Germany, and Russia form themselves into free Federations? And will the path of human political evolution lead us, eventually, to a World Federation?† For the goal of the human race is surely co-operation, justice, and harmony, between woman and man, between States, and between all races.

So far as the internal conditions of States are concerned, this goal has been more closely approached by the self-governing British Dominions than by any other countries. If Aristotle and Plato

* J. S. Mill. “Representative Government,” p. 317.

† President Wilson, in “The State,” p. 567, remarks: “It is not certain that the Federal-State, as at present established, is not a merely temporary phenomenon in politics. It is plain from the history of modern Federal-States—a history as yet extremely brief—that the strong tendency of such organization is towards the transmutation of the Federal into a Unitary-State. After union is once more firmly established not in the interest only but also in the affections of the people, the drift would seem to be in all cases towards consolidation.”

could to-day visit Australia and New Zealand (I have not seen Canada or South Africa), these philosophers would find their ideals of the City-State more nearly realized than elsewhere—not only realized, but in some respects more developed politically, for Australia and New Zealand are just enough to rejoice in universal adult suffrage. Within these admirably managed Dominions one observes a peaceful rivalry between the growing and prosperous cities, in agricultural and flower shows, athletic games, and horse-races, and an intense local patriotism much like that of the ancient Greek cities. A democracy that scorns the pomp of European Courts and the questionable dignity of titles; a democracy where each boy or girl, however poor, can pass through the State schools to the Universities, and where no man of ability is debarred from taking his share in municipal or local government, or in the State legislature, is assuredly the freest and most advanced democracy in the world. These free communities of the British Dominions have reformed the laws made at Westminster; their laws are juster. The Dominions of the British Commonwealth do not follow—they lead the old burdened States of Europe to a higher standard of social and political justice.

Meantime, there may be European cities that object to become a part of any State, or whose racial admixture makes it difficult to decide justly to which State they ought to belong. For their benefit, could we not revive the ancient City-State? Are there not also various islands that might become City-States? If such modern City-States were placed under the protection of the League of Nations, they would be safe from the attacks of larger and more powerful

States. It may even happen that the founders of such an island City-State will throw overboard the whole confused mass of laws made by modern Parliaments, and begin on a new basis—on a basis that has never yet been built for any State—that of true Christianity. Such political experiments would be watched with interest, and might possibly be of great value to the progress of humanity in the twentieth century.

CHAPTER II

DANTE'S " DE MONARCHIA "

BORN in Florence, in 1265, Dante Alighieri, the most profound poet of the Middle Ages, came into troublous times. Nationalities were in process of formation: the State, as we know it in modern times, did not exist.

After the seat of the Roman Empire had been removed from Rome to Constantinople in the fourth century, its power over western Europe declined, and the separation of East and West became inevitable. Constantine adopted Christianity as the imperial religion. About 313 A.D. he issued the Edict of Milan, granting, for the first time, universal religious toleration. The spread of the new religion was made easy by the organization of the Roman Empire, and the missionary activities of the Churches brought new conquests to the Empire. The persecutions of Christians came to an end: but, before long, the persecution of heretics began, culminating in the mediaeval Inquisition.

The Emperor was the head of the Church. Constantine summoned the first Council of Nice in 325 A.D.; his right to control both Church and State was admitted. The Emperors summoned all the early Councils, and they or their lay deputies presided at the Councils, whose decisions did not become law

LEAGUES OF NATIONS

until they were ratified by the Emperor. At the first Council of Nice, about three hundred Bishops were present, including two from Armenia, one from Persia, one from Spain, others from Libya, Egypt, Palestine, Syria, and every Province of the Empire, except Britain and Illyricum. Only one Bishop went to Nice from Italy, and two presbyters were sent by the Bishop of Rome. These three hundred Bishops represented thirteen dioceses throughout the Roman Empire. So Constantine won for the Empire this great union of Churches. The Byzantine Empire was largely ecclesiastical, wealthy, powerful, and well organized. From it arose the Orthodox Greek Church of Russia and Eastern Europe.

This important union of Church and State had far-reaching effects over Europe and Asia. Church Councils and Synods formulated creeds and dogmas for limiting human intelligence; at once they began to build the walls of a dark prison; and into this prison—until the Reformation arose—they threw all those who refused, at their command, so to limit their minds. A reign of intolerance began; torture, the stake, imprisonment, and confiscation of property filled its sanguinary records. This "momentous decision" by Constantine, remarks Professor J. B. Bury, "inaugurated a millennium in which reason was enchained, thought was enslaved, and knowledge made no progress."*

The city of Rome was under the protection of its Bishops—later called Popes—but the supremacy of the Byzantine Emperor was enforced and recog-

* J. B. Bury, Litt.D., LL.D. "A History of Freedom of Thought," p. 52.

nized. When the Emperor's representative in Italy, the Exarch of Ravenna, was conquered in 751 A.D., the authority of the Eastern Emperors came to an end in Central Italy. Then, 324 years after Italy was forsaken by her Caesars, Pope Leo III, on Christmas Day, 800 A.D., at Rome, crowned Charlemagne as Emperor—and so the Western Roman Empire was revived. Later, it was called "The Holy Roman Empire." The office of Emperor was not hereditary; any European, who had sufficient influence, could be a candidate, and ask for the votes of the princely and episcopal electors. Nor did the Emperor's power at first rest on standing armies or navies. After the Carolingian Emperors, the Italian, Saxon, Franco-nian, and Hohenstaufen held sway. Eventually the office of Emperor remained in the House of Habsburg, and the Austrian Emperors seemed to claim it as their hereditary prerogative. Frederick Barbarossa (1152-1190), who added the epithet "Holy," claimed jurisdiction, as Emperor, over most of Germany, Austria, Hungary, great part of Italy, Lorraine, Alsace, Burgundy (the Kingdom of Arles), Flanders, Poland, Denmark, West Switzerland, also Cyprus and Armenia. Henry VI, the son of Barbarossa, by his marriage with the Norman heiress, Constance, added Naples and Sicily to the Empire. Since the time of the Emperor Otto the Great, French kings had refused to acknowledge the imperial authority. The Byzantine Emperors denied the legitimacy of the new Emperors; several times, however, they admitted it, but there was a serious rivalry between the two earthly potentates.

Although the Western Empire and the Papacy were supposed to represent the union of Church and

State, there were almost continuous disputes, quarrels, and even wars between Emperors and Popes. The Popes excommunicated recalcitrant Emperors, and the Emperors replied by marching with armies into Italy and invading Rome, deposing the Pope and substituting anti-Popes of their own choosing. For centuries this bitter struggle between the Emperors and the Papacy continued; the subject of their rights was the burning controversy of mediaeval days, and is too vast a subject to be even sketched in this essay.

This struggle between the temporal and spiritual powers in Italy created a social and political unrest in the Middle Ages, which was increased by the independence of the cities, and the total lack of any settled system of law. There was no central State control in Italy. Petty States were innumerable. Lordships, towns, religious houses, and even villages asserted their political independence. In some respects, mediaeval cities were like the Greek City-States. Most of the cities in mediaeval times were autonomous and sovereign: they coined their own money, made treaties and alliances with other cities and with princes and kings, went to war with other cities, and formed leagues and confederations for their mutual protection from foes — who were often powerful feudal nobles. Society was divided into great and small communes, with feudal fiefs and sub-fiefs. These Italian communes were agglomerations of feudal nobles, guilds, crafts, and associations, with their own assemblies, tribunals, laws, and ambassadors, and these associations divided and governed the communes—that is, the cities. When agriculture ceased to be the only industry, the growth

of industrial crafts and guilds in the cities was rapid, and their power great. Cities and villages were surrounded by high walls, each one possessing a certain amount of surrounding land, and the privilege of citizenship was carefully guarded and limited. Each citizen was devoted to the interests of his own particular craft or guild—not to the general welfare of the City-State, as in ancient Greece. Hence disruptive forces were always at work in mediaeval cities, and sanguinary revolutions and counter-revolutions were frequent. "The struggle between the State and the Clan is really the key to the internal politics of the Middle Ages," observes Jenks.*

The war of Investitures between the Franconian Emperors and the Popes, which lasted sixty years, dissolved almost every tie between the different parts and cities of Italy. At the Peace of Constance, 1183, the cities gained political liberty and independence from the Emperor Frederick I, but the struggle did not end there. Venice, Genoa, and Pisa had their own independent fleets: they conveyed the Crusaders to the Holy Land, and supplied them with arms and provisions. Also they fought for naval supremacy, and after Venice conquered Genoa, she became the wealthy, powerful, and undisputed mistress of the Mediterranean, with a large Empire and chief control over trade with the East. The Republican constitution of Venice was admired and envied for its stability by all the European Courts; it lasted with a few changes, until Napoleon invaded Italy. Florence was a wealthy commercial city and banking centre, also the most democratic Republic, aiming

* E. Jenks, M.A., B.C.L. "Law and Politics in the Middle Ages," p. 312.

at complete independence of Emperors, Popes, and Kings. The Italian communes had an unconquerable repugnance to submission to a religious power, and the Popes could not govern Italy, even by excommunication and terrorism. After the death of Frederick II, whose court was in Sicily, the Emperors seldom came to Italy, and never resided there, so there was no central government.

From the commercial point of view, the Italian cities had also great importance in mediaeval days. Davis writes: "The city, from time immemorial the meeting-ground for the best elements in Italian society, had become in the early Middle Ages the one bulwark between the Italian middle classes and a particularly lawless form of feudalism; and it had served its purpose well. The number of these cities, their population and resources, the luxury of the citizens, the splendour of the palaces and public buildings, were the admiration of all Europe at a time when the Flemish burghers still lived in wooden houses and the Flemish cities were still rudely protected by palisades and earthen ramparts. . . . The untiring industry of Italian capital and labour made Lombardy and Tuscany the homes of textile manufactures, of scientific cultivation, of banking and finance. In every port of the Levant, the Aegean, and the Black Sea, the shipmen and merchants of Venice, Genoa, and Pisa hunted for trade like sleuth-hounds, and fought like wolves to secure a preference or a monopoly. By land and sea the rule of life was competition for territory and trade. War was a normal and often a welcome incident in the quest for wealth. . . . Boundless, indeed, was the vitality of republics which, under such conditions, not only

throve, but also held at bay the ablest sovereigns and the most formidable troops of Europe."* The patriot Machiavelli saw no means of bringing all these turbulent Italian cities under one central control, except by the rule of one man, who would, at first, have to be an unscrupulous tyrant. Dante wished to have the rule of just law. "Good government in the Middle Ages," observes Davis, "was only another name for a public-spirited and powerful monarchy."

Villari states that "The eleventh century witnessed the arrival of communes throughout Italy, and the joy of independence once realized, it was impossible to return to a state of vassalage, whether under bishops, counts, or the Empire itself. . . . During the rise of the Commune, theocracy and feudalism, Papacy and Empire, still subsisted together and always in conflict. The Commune had to struggle long against obstacles of all kinds; but it was destined to triumph, and to create the third estate and people by whom alone modern society could be evolved from the chaos of the Middle Ages. This constitutes the chief historical importance of the Italian commune."†

✓ The Crusades, which went on at intervals from 1096 to 1453, increased the prestige of the Popes, and enabled them to depose the Emperors, so far as Italy was concerned. For the Popes vigorously advocated the Crusades, helped to finance them by taxes, tithes, and the sale of indulgences, and sent papal legates as leaders. Through the Crusades the

* H. W. C. Davis, M.A. "Mediaeval Europe," p. 238.

† P. Villari. "The Two First Centuries of Florentine History," p. 317.

Popes gained much power over foreign policy; they wished to have a universal Church, including Palestine. The Crusades, in fact, were an important international influence in the Middle Ages. An almost constant stream of European armies, of all nationalities, poured through Europe, across France and Italy, and through Hungary, on their way to fight the infidel. Trade with the East was enormously stimulated; missionaries, traders, and adventurers penetrated to India and China, and Asia was rediscovered two centuries before the discovery of America. The Byzantine markets drew their supplies of Indian and Chinese goods from Central Asia, by camel caravans.

The mediaeval mental atmosphere was not made more restful by the Inquisition—the Secret Court of the Papacy founded in 1233, with its spies in every city, ready to accuse the unwary of heresy. This veritable reign of terror almost ruined Italy. Confiscations of the property of the accused men and women enriched the Church and laymen, and the Inquisition was also a censorship of literature. By the end of the sixteenth century, the Church owned from one-fifth to one-third of the soil of Europe in mortmain, and had revenues larger than those of Kings. (Cambridge Modern History. Vol. I, p. 621.) Unorthodox thinkers would sacrifice liberty or life, did they venture to avail themselves of the new discovery of printing in the fifteenth century. In 1501, Pope Alexander VI, by a Papal Bull against unlicensed printing, began the Index Expurgatorius. Orthodoxy, in fact, was obligatory, and to this necessity, as a result of Papal control of opinion, we owe the mediaeval revived custom of

the use of allegory in literature. The persecution by the Inquisition was very severe in Tuscany, where daily trials in the Secret Court took place. Human reason, in mediæval times, was in a dark prison.

In the "Divine Comedy," Dante describes the state of Italy in his times in these words:—

"Ah, slavish Italy! thou inn of grief!
 Vessel without a pilot in loud storm!
 Lady no longer of fair provinces,
 But brothel-house impure! this gentle spirit
 Even from the pleasant sound of his dear land
 Was prompt to greet a fellow-citizen
 With such glad cheer: while now thy loving ones
 In thee abide not without war; and one
 Malicious gnaws another; ay, of those
 Whom the same wall and the same moat contains.
 Seek, wretched one! around thy sea-coasts wide;
 Then homeward to thy bosom turn; and mark,
 If any part of thee sweet peace enjoy.
 What boots it, that thy reins Justinian's hand
 Refitted, if thy saddle be unprest?
 Naught doth he now but aggravate thy shame."*

In this social, political, and religious mediæval maelstrom, men might well ask—*What is Law?* In the sixth century the Emperor Justinian appointed at Constantinople a Commission of ten, including eight imperial officials and two lawyers, to prepare a summary of Roman laws. This was first published in 529 A.D., and in the succeeding years; the whole collection covers the field of public and private, civil and criminal, secular and ecclesiastical law, and is called the Code of Justinian. The Digest and Institutes were added. It consolidated and amended previous Roman law made under the old Republic and the Emperors. Justinian's wife, the Empress Theodora, who reigned with him, and had a "lucid

* "Purgatory." VI.

and keen intelligence,"* reformed laws specially affecting women—divorce, dowry, marriage, and guardianship. Divorce was by mutual consent, and legitimation of children was provided for. Thus Theodora's laws were juster than modern English laws, and her influence proves that in rejecting the co-operation of enlightened women in law making, men have retarded the progress of humanity—just as in the eighteenth century the liberal ideas of Catherine II of Russia were more advanced than any of her statesmen, as regards law reform.

✓ In the Digest, Justinian states: "Law is the art of what is good and fair. Of this art we may deservedly be called the priests"; also "by natural law all were born free,† and manumission was not known, because slavery itself was unknown." Also Justinian says: "Justice is a constant unflinching disposition to give every one his legal due. The principles of law are these: Live uprightly, injure no man, give every man his due. To be learned in law (*juris prudentia*) is to be acquainted with divine and human things, to know what is just and unjust." The Roman people had transferred to the Emperor their sovereignty and law-making power and what the Emperor determined had the force of a statute. This power of the Eastern Emperor was apparently transferred to the Holy Roman Emperor, and imperial edicts play a great part in Teutonic law. "One of the most splendid prerogatives of the Roman Emperor was his power of legislation"‡ observes Jenks.

* "The Cambridge Medieval History," vol. II, p. 27.

† Compare the opening sentence of Rousseau's Social Contract: "Man was born free and everywhere he is in chains."

‡ Jenks. *Op. cit.*, p. 18.

Thus we have the extraordinary spectacle of Justinian, who was a Macedonian peasant, and Theodora, issuing a vast body of laws prepared by a Committee of Ten at Constantinople, and for centuries these law books were regarded by the lawyers as sacred books. Roman law was "the foundation of the modern law of nearly all Europe"* as well as the chief system of law throughout the Middle Ages: it forms a main part of the law of South Africa, Ceylon, and Guiana—through the Dutch; also of the old French province of Louisiana. It was "the product of many generations of a people trained to government and endowed with cultivated and practical intelligence."† Sir Henry Maine shows that Roman law has influenced Politics, Moral Philosophy and Theology, and in mediaeval Europe it supplied the chief means of exactness, subtlety and depth in thought. Justinian sanctioned law schools at Constantinople, Rome, and Berytus; others were suppressed.

In the tenth and eleventh centuries, men lived almost without law. But Roman law was always studied even during the Dark Ages, and to some extent practised, and was incorporated with the law of the Barbarian invaders of Italy. Under feudalism, each little district made its own laws. This was fatal to any idea of State unity. The free towns made their own laws, and some of these town laws form an important part of the law of the Middle Ages. Such, for instance, were the laws of the towns belonging to the Hanseatic League—a powerful Confederacy, with its own tribunals, and Congress

* "The Cambridge Medieval History," vol. II, p. 53.

† *Op. cit.*, vol. II, p. 53.

that met at Lübeck. Thus, there existed Roman law, Canon law—or Church law, feudal law, the law of merchants, town law, guild law, and folk law.

Canon law, or ecclesiastical law, included decrees of Popes or Councils, the Pope's letters, and the Donation of Constantine—a forged document stating that the Emperor Constantine granted Pope Sylvester temporal and spiritual authority over western Europe. This document was included in the False Decretals—also a part of Canon law—a spurious collection dating from the ninth century. The author assumed the name of Isidore, Archbishop of Seville. The collection contains seventy letters supposed to have been written by Popes in the first three centuries. These Decretals, which were later proved to be forgeries, enormously increased the power of the Popes in the Middle Ages. "The Canon law," remarks Jenks, "posed as a revelation," and "professed to be the will of God";* and for two and a half centuries it continued to be a real rival of national law—that is, of national law in England, after the formation of Edward the First's Parliament—the first Parliament in Europe that "declared" national laws.

Both the Code of Justinian and Canon law were studied at the Italian schools, which developed into the Universities, often with the help of charters from the Emperors, or Bulls from the Popes. Rome, Pavia, and Ravenna were the oldest law schools. After the desertion of Rome by the Emperors, Ravenna became the first law school, and was of importance in the ninth, tenth and eleventh centuries. By the year 1000 the Liberal Arts, including

* Jenks. *Op. cit.*, p. 62.

law, were studied at Bologna, which rose to be the chief Law University of mediæval Europe. Most of the Bologna law doctors were strong Imperialists, and Rashdall states that they had the highest educational position in Europe, and that the Emperor was recognized as the fountain-head of all authority.* Not only young students attended the law schools and Universities, but also middle-aged men, ecclesiastics, and nobles. Thus the Universities were the chief centres of enlightenment in mediæval Italy. But the Popes opposed the study of Roman law, and forbade the clergy to hear lectures on law or on physics: in 1219 a Papal Bull forbade all beneficed clerks to study Roman law. The Emperors always encouraged legal and classical studies in the Universities, so their rule and influence made for enlightenment. "The rise of the Universities is merely a wave of that great movement towards association which began to sweep over the cities of Europe in the course of the eleventh century," observes Rashdall.† Canon law became gradually more independent of the Western Emperor, and eventually excluded his authority; there were ecclesiastical tribunals and lawyers, and the authority of Canon law within its own sphere was not denied. But the most masterful Pope of the Middle Ages, Boniface VIII, was ambitious enough to publish the Bull *Unam Sanctam* in 1302 claiming absolute temporal and spiritual authority over all men.

After the issue of this Bull, the King of France Philip IV, sent his Vice-Chancellor to arrest Pope

* Hastings Rashdall, M.A. "The Universities of Europe in the Middle Ages," vol. I, p. 89 (Bologna).

† *Op. cit.*, vol. I, p. 153.

Boniface, and bring him to France to be tried at a Council. As Boniface was preparing to excommunicate this King at Anagni, in Italy, he was taken prisoner, and died soon after. It is related that at the Jubilee at Rome in 1300, Pope Boniface showed himself to the pilgrims, seated on the throne of Constantine wearing the crown and sword and holding the royal sceptre, and cried, "I am Caesar — I am Emperor!"

✓ While on a political mission to Rome from Florence, Dante, not long before these events, had met Pope Boniface, and been by him detained for some time in Rome. Dante's opinion of *Unam Sanctam* is shown by his calling this Pope "Prince of the new Pharisees," and in the *Divine Comedy* Boniface is awaited in the *Inferno*. By some authorities, it is thought that Dante's essay "De Monarchia" was written as a closely reasoned reply to "Unam Sanctam." ✓ Not only did the Pope's fight for temporal power, and the nepotism, simony, and corruption of the Papal Court at Rome and later at Avignon, rouse Dante's righteous indignation, but also their continued opposition to classical and philosophical learning. For Dante lived before the Renaissance, when the more liberal and cultured Popes stimulated the study of the Greek and Roman classics. Dante was a devoted admirer of Aristotle, whom he calls "the master of the wise," and much of Aristotle's teaching is embodied in "De Monarchia" and in Dante's other prose and poetical works. In Dante's time, Aristotle's writings were chiefly known through commentaries, or translations into Latin. Plato, and Aristotle's works were taken to Persia by Neoplatonists during the reign of

Justinian, and by the Mahommedans from Persia to Spain; the writings were translated into Arabic, and from Spain they flowed into Italy. Saint Thomas Aquinas filled four folio volumes with his commentaries on Aristotle, and Dante was studying these volumes when he wrote his first book "Vita Nuova." Villari states that Aristotle's "Politics" was brought from Constantinople to Italy in 1429, and a printed translation issued in 1492. The science and philosophy of Aristotle and Plato's writings caused a great revival of learning in Italy; it was the May-time of the gorgeous summer of the Renaissance. The Papacy was alarmed by this recrudescence of men's reasoning faculties, and the Church had much power over the schools and universities, where many monks were installed as teachers. Papal interdicts in 1210, 1215, and 1231 A.D. forbade the study of Aristotle at Paris University. But neither interdicts, nor the Inquisition, nor the inclusion of forged documents in Canon law, could stop the enlightening and liberating river of Hellenic ideas that flowed into the darkness and mental imprisonment of the Middle Ages. The Christian Aristotelians were not crushed, and pursued their onward path.

✓ As Prior of Florence, one of the chief magistrates of this democratic Republic, Dante was also a practical student of law and government. It is related that he was employed on several Florentine embassies; therefore he must have been well acquainted with international law, as well as with merchant, municipal, and Roman law. His father was a lawyer, also his son, who was with him at Ravenna, and his friend, Brunetto Latini. After

his banishment from Florence, Dante twice visited Bologna, the great law University, where he was offered the laurel crown, but declined it. He also visited Siena, Padua, and Perugia, where there were law schools, and it is said that he went to Paris University. In his writings Dante mentions many famous legislators and lawyers, men connected with law, and writers on law, including Moses, the Emperor Justinian, Edward I of England, Thomas Aquinas, Francesco d'Accorso, Isidore of Seville, Averroes, and many more. It was in passing through Italy from the Holy Land, that Edward I met Francesco d'Accorso, and brought him to England as one of his secretaries, and the Italian lectured on law at Oxford. Thus, "long before Germany had universities, Roman law was being taught at Oxford and Cambridge," states Maitland.* Edward I has been called the English Justinian, and no doubt Dante knew about Edward's establishment of a constitutional Parliament, and the fact that as a result of this establishment, Edward was a more powerful monarch than the French King or the Roman Emperor. In the "Divine Comedy" Edward I is one of the few Kings who are praised. It is also noteworthy that Justinian is given a most important position in "Paradise." Further, in his writings, Dante uses many legal terms and arguments. "De Monarchia" has been called "a treatise on political philosophy by a Constitutional lawyer. . . ."† And from these facts, we conclude that

* "Political Theories of the Middle Age." Gierke. Preface by F. W. Maitland, LL.D., D.C.L., p. xiii.

† J. Williams, D.C.L., LL.D. "Dante as a Jurist," p. 37.

Dante had a profound interest in the whole subject of law—Roman law, Canon law, the laws of science (as they were known then), and occult or spiritual law.

"De Monarchia" was written by Dante in Latin—the international language of mediaeval days. Much controversy has taken place as to the date of its writing, but after all, the date of its writing is not an essential factor, and does not lessen the force or validity of the arguments used. It is thought by some authorities that the essay was written in 1309. At this date, the Popes had left Rome, and resided at Avignon. There had been an interregnum in the Empire; for fifty-eight years no Emperor had come to Italy; and the newly-elected Emperor, Henry VII of Luxemburg, was expected in Italy to be crowned at Milan and at Rome, as was the custom, by the Pope. Great hopes were entertained that the new Emperor's arrival would end the political anarchy in Italy, and bring peace to a distracted country. Henry was crowned at Milan, and at Rome by the Legate in 1312. But instead of bringing peace, he besieged Cremona and Brescia; the Florentines refused to receive his ambassadors, so he unsuccessfully besieged Florence. He died of fever—or poison—in 1313. The hopes of the Ghibelline party, who supported the Emperors, (and who, with the Guelphs, supporters of the Popes, divided all Italy) were lost.

Now the calm reasoning of "De Monarchia" is very different from the impassioned tone of Dante's letters written at this period, especially the tone of his letter to "the most infamous Florentines within," reproaching them for their refusal to receive the Emperor. After the disappointment of Henry's

death, and the failure of Ghibelline hopes, Dante forsook party politics, and became a non-party man. He spent the last years of his life at Ravenna, and internal evidence would point to the writing, or the completion, of "De Monarchia" in the quiet atmosphere of Ravenna, when in his last years, Dante surveyed men, and kingdoms and empires, from a lofty level of philosophic and spiritual calm. The essay is the reasoned result of his most profound political thought. Lord Bryce says, "With Henry VII ends the history of the Empire in Italy, and Dante's book is an epitaph instead of a prophecy."*

Dante died at Ravenna, in 1321. "De Monarchia" was not published until 1559, at Basle. In those dangerous days of the Inquisition, not only was allegory necessary, but manuscripts had to circulate unobtrusively from friend to friend. But the arguments in "De Monarchia" were used by Ludwig of Bavaria, to support the anti-Pope whom he had appointed, because Pope John XXII refused the imperial crown to Ludwig. Then this essay of Dante's became famous. On the defeat of Ludwig and the fall of his anti-Pope, the Papal Legate ordered "De Monarchia" to be burned publicly as a heretical composition, and later it was placed on the Index Expurgatorius. The Legate also ordered Dante's body to be burned—eight years after it was buried; but from this fate it was saved by two friends of Dante's.

In the second part of the essay, Dante proves that the Roman people gained their ancient Empire by right—that is lawfully, and by divine intention,

* "The Holy Roman Empire," by J. Bryce, D.C.L., p. 264.

and proves from instances of brave conduct in the old days, and from the supposed fact (as given by Livy, Virgil, and other writers) that Aeneas was the ancestor of the Romans, that they were a noble people and fitted to rule over others. In the third part of the essay Dante proves that the Emperor has divine sanction; that the Roman Empire existed before the Church, and was in no way dependent on the Church; that it is essential to the true nature of the Church of Christ not to have temporal authority, and that Constantine had no power to give temporal authority to the Church. As these two parts of Dante's essay deal with a mediaeval controversy that has now lost most of its interest for modern readers, only the first part is summarized in this chapter.

It is, however, not without interest to inquire what Dante meant by "the Roman people"? He never says that the Emperors gained the ancient empire; he says "the Roman people,"—that is, the ancient Roman Republic gained it. There is no praise for the later Emperors. Again, when Dante says that "the Roman people" are best fitted to rule, he certainly does not mean those called Romans in his days, for in "De Vulgari Eloquentia," he speaks of the depravity of their manners and customs in the fourteenth century. Now Dante treats historical and fictitious persons as types. And in asserting that "the Roman people" ought to rule over others, because they are fitted to do so, he probably means by "Roman people" those who are qualified to act as law-givers and governors of mankind. The learned French critic and historian, Fustel de Coulanges, maintains that "Romani" is

the name of a rank, rather than a race. As among the ancient nations, the Romans possessed the greatest legal and political genius, and as the Roman Empire, so long as its customs and laws were just, maintained a just rule over nations, so Dante asserts that the Roman Empire was ordained by God for the advance of civilization, and for the first home of the Christian religion.

The Latin word for law—" *jus* "—includes also the meaning of right, or just, a meaning that our English word "law" does not include. The Code of Justinian included both civil and international law (*jus gentium*) and was often called simply "*jus*." The word "*jus*," therefore, as used in "De Monarchia," may be translated as civil law, or international law, or a court of justice, or the Code of Justinian. Cicero says "Whatever is the law of nations, the same ought to be civil law." The basis of ancient Roman law was sincerity and good faith, and in Rome there was a most ancient temple to the goddess "Fides"—faith. The Romans, in fact, did not recognize any distinction between civil law and international law, which was regarded as equivalent to natural law—that is to the Law of Nature.

The Law of Nature means natural justice—justice between all human beings dwelling on this earth. Voigt considered that its characteristics were a potential general validity or universal applicability—for all individuals, all nations, all times—in consequence of which it claimed to be free from abrogation by the civil law. The Roman lawyers regarded *jus gentium* as equivalent to the Law of Nature. Maine shewed that as Rome extended her

dominions, it became necessary to apply other provisions in the case of aliens residing on Roman territory, so as to meet the interests and demands of justice.* The rules thus admitted gradually formed the body of *jus gentium*. Westlake states that Roman lawyers regarded *jus gentium* as resting on the consent of mankind, not of States. International relationships were the source of this law, which included both public and private international law, and it was incorporated in the Code of Justinian. Coleman Phillipson remarks that these rules "did not constitute an international law in the modern sense of the term. The customs and usages were not always uniformly observed, and they scarcely acquired the objectivity and perfection of formal law."†

In the second part of "De Monarchia" Dante quotes Seneca's sentence—"Law is the bond of human society," and presently he refers to the Roman colleges, and quotes Cicero's statement:—

"As long as the supremacy of the Roman Republic rested on benefits, not on injustice, their wars were undertaken either to defend their allies or to protect their empire, and the results of their wars were either merciful or unavoidable. The Senate was the port and refuge of Kings, of peoples, and of nations. Moreover our magistrates and generals sought to derive their highest glory from this single fact, that they had upon the principles of equity and honour defended their provinces and their allies. Their rule therefore might rather be called the protection than the empire of the world."‡

* Sir H. Maine. "Ancient Law." See chapter iii, with Pollock's notes.

† C. Phillipson. "The International Law and Custom of Ancient Greece and Rome," vol. I, p. 96.

‡ Cicero. Offices. Book II.

Cicero, the ardent Republican, is here writing about international affairs, and soon after he says that the ruin and conquest of Marseilles by Julius Caesar, was "the most flagrant indignity the sun ever beheld"—as a breach of international law. Dante quotes or refers to Cicero more than thirty times, in his writings. Both Dante and Cicero were great lovers of justice. In the "Convivio" Dante states that he intended to write a treatise on "Justice," but we do not know that he did so. The whole subject of the "Divine Comedy," Dante said, was a study of divine justice. And one of the ancient Roman Colleges referred to by Dante in "De Monarchia" was the College of Fetials, which was, in effect, a sacred Court of International Law and Justice, with the strongest possible religious sanction.*

Now the reinstatement of just municipal and international law is the central and unmistakable theme of the first part of "De Monarchia"—which means absolute rule, not of a person, but of Law. The office of Emperor typifies a central Court of International Law and Justice. The State has been defined as "the politically organized national person of a definite Country."† And in "De Monarchia," the Empire is a type of the "politically organized person" of the World-State.

In Dante's Epistle to Can Grande Della Scala, to whom he dedicated the "Paradise," he states that "any work of instruction" must be studied from the literal and the allegorical point of view, and that the "Paradise" is "of more senses than

* See Appendix, II.

† Prof. J. K. Bluntschli. "The Theory of the State," p. 23.

one." And again in the "Convivio" he states that writings may be both literal and allegorical, nor does he anywhere state that while the "Divine Comedy" may be read and understood in both senses, "De Monarchia" may not be so understood. Is there not, then, as much reason to take "Emperor" or "Prince" as typifying a World-Court of Justice, as to take Beatrice for a type of Divine Revelation? Just as in the "Divine Comedy" Beatrice typifies Divine Revelation and Virgil typifies human reason, so in "De Monarchia," the "Emperor" "Monarch" or "Prince" typifies a World-Court of Justice, and the "Empire" the World-State. Dante's constant everyday use of allegory is clearly shown in his letters, particularly the one "to the most infamous Florentines within," and in his Eclogues. His intellectual power was far too great for him to believe that one man—an Emperor—would be wise enough to make laws for the whole world.

The Council of the Venetian Republic, with the Doge as President, was called "most serene Prince." This Council of Ten, created in 1311, supervised the Doge, and represented him in all his attributes; without the Council the Doge could do nothing. Therefore in Italy, the word "Prince" would be generally recognized to mean a Council. We know that during his last years Dante resided at Ravenna, not far from Venice. The ancient Exarchate of Ravenna included the maritime part of Venetia. It was during an ambassadorial journey to Venice that he contracted the fever of which he died. No doubt he had visited Venice often before then, and must have been well acquainted with the constitu-

tion of the Republic of Venice. To his contemporaries, then, his use of the word "Prince" would signify a *Council*.

Writing more than four centuries after Dante's time, another great political thinker, Rousseau, says: "What then is government? An intermediate body set up between the subjects and the Sovereign to secure their mutual correspondence, charged with the execution of the laws and the maintenance of liberty, both civil and political. The members of this body are called magistrates or *Kings*, that is to say *governors*, and the whole body bears the name *prince*."* And in a footnote, Rousseau refers to the fact that the Council of Ten of the Venetian Republic was called "most serene prince." Rousseau wished his readers to understand that by "prince" he does not mean one person, but a Council. Rousseau was for a time Secretary to the French Ambassador at Venice, and was frequently sent to the Senate, therefore he well knew the strength and weakness of the Republican constitution at Venice. In "The Social Contract" we note that he uses "*prince*" and "government" as convertible terms.

It is then, in this sense, meaning government, that Dante uses the words "Prince," "Monarch" or "Emperor."† In "The Convivio" may be found a key to "De Monarchia," for in the former essay he clearly shows that he is not a believer in absolute monarchy; he says that the imperial power has no authority over men's minds, but must be

* J. J. Rousseau. "The Social Contract."

† Machiavelli's "The Prince" is another instance of this meaning of the word "Prince."

limited to civil and international affairs. He quotes from Justinian's "Digest": "Written law is the art of good and of equity"—and then goes on to say: "It is to write, to declare, and to enforce this equity that the official is appointed of whom we are speaking, to wit, the Emperor, and to him we are subject to a certain extent, of which we have spoken, and no further." Dante also remarks that an imperial pronouncement on some subjects carries no authority, and that we are not to accept any imperial judgment on the plea that it is the Emperor's. Also he says that if the Emperor exceeds his province, we are not subject to him, and not bound to reverence him. It is, therefore, clear that Dante believed only in constitutional rule, and not in the absolute rule of any man. "For law is a rule to direct life," he wrote, but not to limit the human intellect, for "freedom is the greatest gift conferred by God on human nature." In fact, Dante would agree with his contemporary, Marsilius of Padua, that Sovereignty resides inalienably in the People. And under the rule of an International Court of Justice, Dante believed that the world would be at peace, and each man happiest and freest, because each man would be at liberty to develop to the utmost his moral nature and intellectual faculties.

There is abundant evidence proving that in Dante's lifetime there was in Italy more advanced political thought than in England—the home of the first Parliament—or in any other European country. St. Thomas Aquinas (1227–1274) who may have lectured in Italy during Dante's boyhood, and whose writings were one of Dante's Bibles, was a

Liberal in politics. Aquinas advocated self-government; he wrote that the whole nation ought to have a share in governing itself: that all political authority is derived from popular suffrage, and laws must be made by the people or their representatives; that no government has a right to levy taxes beyond the consent of the people; and that the Constitution ought to combine a limited and elective monarchy, with an aristocracy of merit, and that all classes should, by popular election, be admitted to office. Also Aquinas stated that the people may depose an incompetent King, who is unfaithful to his duty, and that "there is no security for us as long as we depend on the will of another man." This language, observes Lord Acton, "contains the earliest exposition of the Whig theory of the revolution," and that Aquinas thus wrote "at the very moment when Simon de Montfort summoned the Commons, and that the politics of the Neapolitan friar are *centuries in advance* of the English statesman's."*

Thomas Aquinas was born near Naples; he became a Dominican, studied at Cologne under Albertus Magnus, lectured at Paris, Rome, Bologna, and other Italian cities, and in 1263 he was in London. Dante states that he was poisoned by Charles of Anjou. As a teacher of these advanced political ideas, it would have been strange if he had escaped martyrdom. Dante's reverence for Aquinas is shown by the exalted position assigned him in "Paradise."

Another contemporary Liberal thinker and writer was Marsilius of Padua, whose book, "The Defence of Peace," published shortly after Dante's death,

* Lord Acton. "History of Freedom," p. 37.

was translated into English and published in London in 1535. (Shakespeare seems to be strangely attracted to Padua; did he study Marsilius?) The book was dedicated to "the most valyaunt Emperour Lodo- wyke of Bavaria, which had ben handled after ungodly maner, and suffered many injuryes done to hym by the bysshoppes (called Popes of Rome) about the yere of our Lorde God MLLLVIII." Marsilius also advocated self-government. Of the monarch he wrote "He is responsible to the nation, and subject to the law, and the nation that appoints him, and assigns him his duties, has to see that he obeys the Constitution, and has to dismiss him if he breaks it. The rights of citizens are independent of the faith they profess, and no man may be punished for his religion." Gierke says that Marsilius advocated "democratic Radicalism," that "the People is always and necessarily, the legislator," and that "this inalienable right is to be exercised either in a primary assembly of the People or by its elected representatives. Therefore the Will of the People is the efficient cause of the State."* This is Rousseau's doctrine of the inalienable Sovereignty of the People. Lord Acton remarks that Marsilius "saw in some respects farther than Locke or Montesquieu."† It is known that Dante visited Padua, and we may well believe that he knew the democrat Marsilius. Sismondi (*The Italian Republics*) states that Padua was the most powerful Republic in the district, and that the people were very democratic, and devoted to liberty. We may, therefore, assume that in "The Defence

* O. Gierke. "Political Theories of the Middle Age," p. 46.

† Lord Acton. *Op. cit.*, p. 37.

of Peace" Marsilius represented the best Liberal thought of his native Padua, and of Italy in Dante's lifetime. It is not, then, surprising that in "De Monarchia" Dante states advanced modern ideas of International Government. He was learned in all the knowledge of his time—all the known science, art, and philosophy. And law was then "the Prince of the humanizing studies," and "pre-eminently a liberal art."* Dante saw that as just civil law would bring peace between man and man, so just international law—a Court of World Justice—might bring peace between nations.

When the Papal Legate ordered "De Monarchia" to be publicly burned, probably it was because he feared the influence on Italian jurists of Dante's legal learning, as shown in this essay. The Papal authorities must have had uneasy consciences with regard to the False Decretals and the Donation of Constantine—a forgery that was not publicly proved until after Dante's death. In the third book of "De Monarchia" Dante wrote that the Decretalists are "strangers and ignorant in every kind of theology and philosophy." No doubt this statement represented the opinion of the learned Imperialist law doctors at Bologna, which city was only forty-five miles from Ravenna—Dante's last home. Dante was in frequent communication with Bologna, through his friend Giovanni del Virgilio, professor of Latin in the University of Bologna. We have two Eclogues—full of allegory—written by Dante to Virgilio, and we may well suppose that Dante consulted Virgilio while he wrote "De Monarchia," and that Virgilio showed the essay to

* Williams. "Dante as a Jurist," p. 2.

the law doctors at Bologna. Hence a modern lawyer states that "the whole work might be cited in illustration of Dante's legal learning."*

Mr. P. H. Wicksteed, translator of Dante's Latin works, states that "Dante's 'Imperialism does not mean the supremacy of one nation over others, but the existence of a supreme law that can hold all national passions in check, so that the development of international law and the establishment of arbitration are its nearest modern equivalents.'"[†]

In the "Convivio" Dante shows that he is a true and sincere democrat. He proves that nobility does not consist in hereditary titles or the possession of riches. Wealth is injurious to the soul, he says, because it makes men anxious and the objects of hatred, and often kills liberality. He maintains that they who say that a peasant can never become noble are absurd reasoners, for all men have a common origin. True nobility, he argues, can only come from moral virtue, and the full development of the practical and speculative intellect and true nobility is always shewn by a love of wisdom. After Dante's banishment from Florence, he was always an exile from his beloved native city—the Athens of Italy—and always poor. It is thought that he may have been a member of the Third Order of Saint Francis. Not for him were any public triumphs like Petrarch's.

After his death, his remains were entombed in the Franciscan Church, at Ravenna. In 1865, as

* Williams. *Op. cit.*, p. 37.

† Dante's Latin Works. "De Monarchia." The Temple Classics. p. 149.

Dr. E. Moore* relates, some workmen discovered his bones in a wooden chest, which had been built into the wall of an outlying chapel of this Church. They had been removed from Dante's stone sarcophagus in the mausoleum, probably by the monks of the neighbouring Franciscan monastery. One motive may have been, according to Dr. Moore, "the fear lest the coveted treasure, the pride of all Italy, should ever be removed to some more distinguished resting-place." On four occasions the people of Florence begged to have Dante's remains returned to Florence: in 1519 Pope Leo X was appealed to, and Michelangelo signed the petition. So the Franciscan monks thought that "actual possession was the best form of legal right," and hid the bones in the wall of the chapel of Braccioforte. On the stone sarcophagus is inscribed an epitaph, attributed to Dante himself, of which the first words are "*Jura Monarchiae.*" Did Dante, then, consider this essay as his most important work?

Dante said that he was "a party by himself"; towards the end of his life he belonged neither to the Guelphs nor the Ghibellines; like every man of genius, he walked on a lonely path, and on higher ground than the politicians. Nor was he an orthodox Roman Catholic; in the third book of "*De Monarchia,*" he says that *the Church* came with the "venerable chief Councils," and with the early Christian Fathers—that is, before the Popes asserted supreme authority over the Roman Catholic Church. In his letter to the Italian Cardinals, he speaks as frankly as Luther: he tells them they are

* E. Moore, D.D. "Studies in Dante. The Tomb of Dante."

"officers of the first rank of Church Militant," "Shepherds only in name," and only "seek fortune and benefices." But there is also an inner Church, to which Dante belonged, and that is apart from these external organizations, called Churches. To him the Papacy was a question of external organization—necessary for the majority of mankind. Dante was an initiate: he did not require creeds and dogmas. He regarded himself as an agent for spreading the good seed of divine ideas in the world, and his only law was his own conscience. He believed in perfect freedom of thought.

He dreamed of a united Italy that should regain her ancient place as the leader in just order and legislation. This view is developed in the second book of "De Monarchia." More than five hundred years passed after his death; Italy went through servitude and manifold sorrows, until Garibaldi and Mazzini arose, and as a result of their struggles (so eloquently described by Mr. G. M. Trevelyan) at last a united Italy, under the rule of the present Dynasty, came into being. It was the sympathy of British statesmen that helped these two heroes of Italy's resurrection, and British ships were in the Mediterranean to protect them.

That great and noble soul, Mazzini, confirmed the view developed in this chapter—that in "De Monarchia" Dante advocated not the rule of an absolute Emperor, but the reign of Law in a World-State—or League of Nations.* Mazzini said that Dante's prose works contain the most important

* Mr. E. Barker observes that Aristotle (who was Dante's master) "had the greatest faith in laws: law, which is reason itself, is to him the only true sovereign."—"The Political Thought of Plato and Aristotle," p. 261.

teaching, often, however, either neglected or misunderstood. In summarizing Dante's ideas as expressed in "De Monarchia," Mazzini wrote: "Mankind must be *one*, even as God is one: one in organization, as it is already *one* in principle. Unity is taught by the manifest design of God in the external world, and by the necessity of an aim. Unity requires something by which it may be represented; hence the necessity of a unity of government. Therefore it is indispensable that there be some centre to which the collective inspiration of mankind may ascend, thence to descend again in the form of *Law*, a power strong in unity and in the counsel of the higher intellect naturally destined to rule, providing with calm wisdom for all the different functions—the distinct employments that are to be fulfilled; itself, performing the part of pilot or supreme chief, in order to achieve the highest possible degree of perfection."*

Dante wished Italy to be "an angel of light among the nations," and combined with his wider plan for a World-State, there was an intense patriotic devotion to Italy. Dante would say—let each nation develop its peculiar genius to the fullest extent, and in order to be able to do this, let each nation become a member of a World-State, under the guidance of a Central Court of Justice that will regulate international affairs.

Although, then, as Lord Bryce stated, "De Monarchia" was "an epitaph" of the Holy Roman Empire, I maintain that it was also a most remarkable prophecy of International Government. This essay, so little known to the general public, is the

* Mazzini. "The Minor Works of Dante."

first powerfully reasoned legal argument in Europe, based on premises that are irrefutable and eternally true, in defence of International Government.

It is always of the greatest interest to see what international legal experts have to say on this question. A modern Swiss authority on international law, Professor Bluntschli, who in his book—"The Theory of the State" has achieved for modern States what Aristotle achieved for ancient States in his "Politics," agrees absolutely with Dante's conclusions. Bluntschli wrote:—

"Only in the universal empire will the true human State be revealed, and in it international law will attain a higher form and an assured existence. . . . Laurent bases international law on the unity of the human race, and no other basis can be found for it; but he recognized this unity only as an internal one. In my opinion, logic and psychology both require that this internal power should manifest itself outwardly. If mankind is internally one being, in its complete development it must reveal itself as one person. The organization of humanity is the Universal State. . . . Later generations, perhaps centuries hence, will finally decide the question."*

Dante's last words in this first book of "De Monarchia" are from the Hebrew poet-King David: "Behold how good and how pleasant a thing it is, brethren, to dwell together in unity." The true poets of the human race are also its prophets. David in Palestine, Dante in Italy, Tennyson in England, and Whitman in America—a westward sweeping wave of inspiration—sang of the unity of mankind. If Shakespeare did not visit Italy, he dwelt there much in imagination: apart from his historical plays, one may almost say that his characters live and move, talk joyously or

* Bluntschli. "The Theory of the State," pp. 32 and 34.

tragically more in Italy than in Britain. Venice, Verona, Milan, Mantua, Florence, Padua, Pisa, and Rome, were as dear to him as Stratford or London. Byron, Shelley, Keats and the Brownings owed a great debt to Italy: under her blue skies, rejoicing in her glorious sunshine, they sang of love and of freedom. To us Italy gave the Rossettis. This harmonious band of Italy-loving poets has woven indissoluble ties of love and sympathy between Italian and British hearts. And now we give to Dante the laurel crown of victory—as the first poet-prophet of the World-State—the League of Nations.

In "De Monarchia," the prose-poem, Dante shows that it is only in so far as civil and international law approximate to the Divine Idea of Justice, that the ultimate unity of mankind will be achieved. He proclaims that the politics that promote this end is a divine science. For the Divine Sovereignty has a goal for humanity on this earth, and wills that after long centuries of tyranny, suffering, warfare and misgovernment, mankind shall dwell on earth in peace and concord, so that this small earth at last shall move in a shining atmosphere of Peace and Love among the myriad stars and suns of the universe—also moving, in royal procession, on their destined paths to an unknown, yet divine goal.

DE MONARCHIA*

BOOK I

"It very greatly concerns all men on whom a higher nature has impressed the love of truth, that, as they have been enriched by the labour of those before them, so they also should labour for those that are to come after them, to the end that posterity may receive from them an addition to its wealth. For he is far astray from his duty—let him not doubt it—who, having been trained in the lessons of public business, cares not himself to contribute aught to the public good. . . . Pondering, therefore, often on these things, lest some day I should have to answer the charge of the talent buried in the earth, I desire not only to show the budding promise, but also to bear fruit for the general good, and to set forth truths by others unattempted."

First, then, we have to consider what is the idea of the temporal Monarchy. The temporal Monarchy is the government of one prince above all men in time. We may inquire (1) whether it is needful for the welfare of the world, (2) whether the Roman people rightfully assume the office of Monarchy, (3) whether this Monarchy depends on God or on some minister or vicar of God. A truth that is not a first principle is demonstrated by reference to one that is a first principle. Some things we can think about, but cannot do; such are mathematics, physics, and divinity: other things we can think about and also do. In the latter case, the doing is the goal. The matter for present discussion is the

* A Summary of the translation by F. C. Church in "Dante" by Dean Church.

right ordering of a State: all that concerns this is subject to our power. This ultimate goal is the first principle—it is the goal of the entire civil order of the human race. It would be folly to suppose that there is not such a goal.

What, then is the goal of human civilization? As nature produces a thumb for one end, the hand for another, the arm for another, and the whole body for a different end, so there is one goal for the individual man, another for the family, for the city and the Kingdom, and there is an ultimate goal designed by God for the whole human race. Man is created for the sake of the thing he is to do or to be. So there is some function of humanity, as a whole, for which men were created. Man differs from Nature and the brutes in that he has a powerful intellect. There must be multiplicity in the human race in order that this intellect may be adequately used. So there are things to be *done*, regulated by political wisdom, and things to be made, regulated by art. Thought (contemplation or speculation) is the supreme function for which God created man. And as Aristotle says: "They who are strong in intellect naturally rule over the rest."

The proper work of the human race is to exercise fully the intellect, primarily by speculation, and then by action. It is in quietness that the individual man is perfected in knowledge and wisdom. It is evident that the human race can most freely apply itself to its proper work (which is almost divine, as it is said, "Thou hast made him a little lower than the angels") in the calm and tranquillity of peace. Wherefore it is manifest that universal peace is the best of all those things which are ordained for our

blessedness. So there sounded to the shepherds from on high, not riches, nor treasure, nor honour, nor length of life, health, strength nor beauty—but peace. For the heavenly host said "Glory to God in the highest and on earth peace to men of good will." So "peace be with you" was Christ's greeting, and it was meet the supreme Saviour should utter the supreme salutation. His disciples preserved the custom, especially Paul, as all may see in his Epistles. We see, now, the best means by which mankind may do its proper work. The ultimate goal of the human race, then, is universal peace. This is our first principle, and is as a sign-post to us.

We now ask "Whether a temporal monarchy is needful for the welfare of the world?" Most powerful arguments shew that it is needful. Aristotle, in his "Politics" asserts that when more things than one are ordained for a single purpose, one of them must guide or rule, and the others be guided or ruled. This is true of the individual. As all his faculties are ordained for happiness, the intellectual faculty is the guide and ruler of the others, else he could not be happy. The object of the family is to prepare its members to live well, so there must be one to guide or rule, whom they call the father of the family or his representative. In a village one must rule the rest. In a city, there must be a rule, either in a right or a wrong political method: if not, the end of civic life is missed, and anarchy ensues. Finally in a Kingdom, whose goal is the same as that of a city, there must be one King to rule and govern, else the people fail to reach the goal, and the Kingdom

lapses into ruin. Now it is admitted that the whole human race is ordained for a single goal (universal peace), therefore the guiding or ruling power must be one, and the proper title for this office is Monarch or Emperor. Thus it appears that for the welfare of the world, it is necessary that there should be a Monarchy or Empire. . . .

Now mankind is a whole relatively to kingdoms and nations, but a part only of the universe, whose sole Monarch is God. And everything is best disposed when it is disposed according to the intention of the prime agent, God. It is the intention of God that every created thing should, as far as possible, represent the divine likeness. So it is said "Let us make man in our image after our likeness." This may be said of all things, for the whole universe is only a certain footprint of the divine goodness. And the human race is best disposed when it is most like to God—that is, when it is in unity, for it is in God alone that the absolute principle of unity exists. But the human race is most one when it is united in one body, which can only be when it is subject to one prince. So when mankind is subject to one prince,* it is most in accordance with the divine intention. ●

Every son is best disposed when he follows the footsteps of a perfect father. Mankind is the son of heaven, which is most perfect in all its works. The human race, then, is at its best when it imitates heaven, as far as it can. Now the whole heaven is regulated by a single motor—God. It follows that the human race is at its best state when it is ruled by a single Prince and one law. So it is

* (or Government. E.Y.)

evidently necessary for the welfare of the world that there should be a single Monarchy, or Princedom, which men call the Empire.*

Whenever disputes arise, there must be judgment. Between any two independent princes controversy may arise, and then judgment is necessary. Now an equal cannot rule over his equal, so there must be a third prince of wider jurisdiction who is ruler over both, to decide the dispute. This third ruler must be the Monarch or Emperor. And so Monarchy is necessary for the world. Aristotle perceived this, when he said "The World is not intended to be disposed in evil order; in a multitude of rulers there is evil, therefore let there be one prince."

Moreover the world is ordered best, when justice is most powerful, and justice is most powerful under a Monarchy or Empire. Justice is a certain rightness, or rule of conduct rejecting all that deviates from it. Justice may find opposition in the will; for where the will is not pure from desire, justice is not there absolutely in the glow of her purity. So it is wrong to attempt to inspire the judge with passion. Justice is a virtue that refers to others; how, then, can one act justly if he have not the power of rendering to each his due? Therefore it is obvious that the more powerful the just man is, the better in practice will his justice be. Justice is strongest in the world when it exists in the most willing and most powerful. The Monarch alone is such a man; so it is only when justice exists in the Monarch that it is strongest in the world. Now greed is the chief opponent of justice, as Aristotle shows; if greed be removed, nothing is left to

* (or World-State. E.Y.)

oppose justice, and the philosopher says that things that can be determined by law should not be left to the opinion of the judge. Where there is nothing to be desired, greed cannot be, for when their objects are destroyed, the passions cannot exist. But the Monarch desires nothing, for his jurisdiction is only bounded by the ocean, which is not the case with other princes, since their Kingdoms are bounded by other Kingdoms. Whence it follows that the Monarch may be the purest embodiment of justice among men. Just as greed clouds justice, so does charity or right love enlighten it. In whomsoever, therefore, there exists the rightest love, in him justice may take the most commanding place. The Monarch is such a man, so when he exists, justice is or may be most powerful. Greed seeks external things; but right love, scorning other things, seeks God and man, and the good of mankind. And as, among the other blessings of man, living in peace is the chief, and justice is the mightiest bringer of peace, so right love will give most vigour to justice. Everything lovable is the more loved the closer it is to the lover. Men are closer to the Monarch than to other princes, so they are most loved by him, or ought to be. Men draw near to other princes through the Monarch so the Monarch cares for all men. Since the Monarch is the most universal of human causes that men should live well, it follows that the good of mankind is more loved by him than by any other. The Monarch has the greatest power for the practice of justice, for if he be the sole Monarch, he can have no enemies.

The human race is ordered best when it is most

free, and the first principle of our freedom is freedom of choice. Judgment is the link between apprehension and desire. First a thing is apprehended, then it is judged to be good or bad, and he who has so judged it, pursues it or avoids it. If the judgment is moved by desire, it cannot be free, but is captive to another power. Animals have not free judgment, because they are moved by desire. The angels, and souls departing from this life in grace, whose wills are immutable, do not lose their freedom of choice on this account, but retain it, in its most perfect and potent form. This freedom is the greatest gift conferred by God on mankind, for it is through it that we gain happiness here as men, through it that we gain happiness elsewhere as gods. If this be so, who would not say that the human race is in its best state when it has the fullest use of this principle? But it is under a Monarch that mankind is most free. Aristotle says "that is free which exists for the sake of itself and not of some other." It is only under a Monarch that the human race exists for its own sake, and not for the sake of some one else. For it is only then that perverted forms of government are set right (for instance, democracies, oligarchies, and tyrannies, which force the human race into slavery) and that Kings, aristocrats, and people zealous for liberty are really pursuing a system of care for the right ordering of the State. Since a Monarch is most loved, he will desire all men to become good, which cannot be under bad governments. So Aristotle says "Under a bad government a good man is a bad citizen, but under a right one, a good man and a good citizen are convertible terms."

Good governments aim at liberty—that men should exist for their own sakes. The citizens are not there for the good of the consuls, nor the nation for the good of the King, but conversely—the consuls for the sake of the citizens, and the King for the sake of the nation. The right ordering of a State is not for the benefit of the laws, but the laws for the benefit of the conduct of the State; so, too, they who are subject to the law are not for the benefit of the legislator, but he for theirs. So it is clear that although the consul or King may be master of others with respect to the means of government yet with respect to the end, they are the servants of others, and the Monarch most of all, for he must assuredly be regarded as the servant of all. Hence we see how the Monarch is limited by the end set before him in legislating.

He who is himself best fitted to rule, is also capable of fitting others to rule; and the Monarch is so capable. For the Monarch can have no occasion for greed, and greed is the sole corrupter of judgment and impeder of justice, so the Monarch is capable of an absolutely good disposition for governing and for justice, at least of a higher degree thereof than others. And these two qualities are the chief attributes of a legislator and an executor of the law. So we infer that the Monarch alone is capable of governing best.

It is better that what can be done by one agent should be done by one than by many. Everything superfluous is repugnant to God and Nature, and therefore must be bad. It must be carefully observed that when we say mankind can be ruled

by one supreme Monarch, we do not mean that every petty decision of each municipality could issue from him directly, since even municipal laws are not always right, as Aristotle shews in his commendation of equity. Nations, Kingdoms, and cities must be regulated by different laws. *For law is the rule which directs life.* Those who live in different climates require different rules of life. But in those things which are common to the human race and inherent in it, all should be ruled by one Monarch, and guided by a common rule to peace. This rule or law the princes ought to receive from the Monarch, as Moses relegated to the chiefs of the tribes of Israel inferior judgments, reserving to himself the supreme judgment. Wherefore it is better and more acceptable to God for the human race to be ruled by one Monarch, and God always wills what is best.

Being, Unity, and Good come in order. Being and Unity come before Good. Where Unity is greatest, Good is also greatest. Pythagoras places unity on the side of good, and "more than one" on the side of bad. Sinning is a departing from "unity" and seeking multiplicity. Everything that is good, is good in virtue of being established in unity. Concord is a good, and must be established in unity as its root. For concord is the uniform movement of many wills, so unity of will is the root of concord. All concord depends on unity in wills. The human race is at its best when it is in concord, as is also the individual man with regard to body and mind; also a house, a city, and a Kingdom are happiest when in concord. But this unity of wills cannot be unless there is one will

ruling all the rest, as the wills of men, because of the seductive delights of youth have need of a directive principle. Nor can that one will exist unless there be one Prince, whose will may be the mistress and ruler of all others. So it is necessary for the unity of the human race that there should be one Monarch to rule the world and one Monarchy.

All these reasons are confirmed by a memorable experience, namely, the state of things in the world which the Son of God either awaited, or produced before He was born on earth. For from the creation of the world, it was never quiet on every side, except under Augustus.* All the historians and illustrious poets bear witness to this fact; and Paul called it "the fullness of time." Verily the time and all temporal things were full, for no ministry to our happiness was then without its minister.

"But how the world has fared since that 'seamless robe' has suffered rending by the talons of ambition, we may read in books; would that we might not see it with our eyes. Oh! race of mankind! what storms must toss thee, what losses must thou endure, what shipwrecks must buffet thee, as long as thou, a beast of many heads, strivest after contrary things. Thou art sick in both thy faculties of understanding; thou art sick in thy affections. Unanswerable reasons fail to heal thy higher understanding; the very sight of experience convinces not thy lower understanding; not even the sweetness of divine persuasion charms thy affections, when it breathes into thee through the music of the Holy Spirit: 'Behold, how good and how pleasant a thing it is, brethren, to dwell together in unity.'"

* See Appendix. "Augustus Caesar."

15-89

CHAPTER III

HENRY THE FOURTH'S "GRAND DESIGN"

HENRY OF NAVARRE was born in 1553, and educated as a Protestant. He became King of Navarre in 1572, and married the sister of Charles IX, King of France. During the Massacre of Saint Bartholomew Henry was in Paris, with his old friend Baron de Rosny, later created Duc de Sully, and both succeeded in escaping. As both were Protestants, they were in danger of the Catholic fury.

The great question of this century was how Protestants and Catholics could live peaceably together in the same country. This dispute was at the root of most of the wars of the period. In France there were eight wars of religion, and the Catholic League, which was strongly organized and supported by most of the large towns, disputed Henry's claim to the throne of France. On the death of the Duke of Anjou he became the next heir to the crown. Negotiations for marriage between Elizabeth, Queen of England, and Anjou had not been successful. Motley says this was owing to Anjou's hideous appearance and puny frame. Elizabeth naturally preferred manly and handsome men. The King of Spain and the Pope helped the French League with men and money. In Germany which was disunited under a number

of small rulers, with the Holy Roman Emperor as head, Martin Luther burned the Canon Law, defied the Papacy, and led the Reformation. The Netherlands, guided by William of Orange, struggled to throw off the yoke of Spain and the Inquisition, and to gain civil freedom and their republican constitution. Ferdinand, the Holy Roman Emperor, held the Duchy of Austria, and the Kingdoms of Hungary and Bohemia. His nephew, Philip II of Spain, widower of Mary Tudor, had the largest and richest Empire of any European monarch. So the House of Austria was the most powerful in Europe, and against it Henry IV of France tried to organize his Grand Design.

Macaulay wrote :—

“ Whoever wishes to be well acquainted with the morbid anatomy of Governments, whoever wishes to know how great states may be made feeble and wretched, should study the history of Spain. The empire of Philip the Second was undoubtedly one of the most powerful and splendid that ever existed in the world. In Europe, he ruled Spain, Portugal, the Netherlands on both sides of the Rhine, Franche Comté, Roussillon, the Milanese, and the Two Sicilies. Tuscany, Parma, and the other small states of Italy, were as completely dependent on him as the Nizam and the Rajah of Berar now are on the East India Company. In Asia, the King of Spain was master of the Philippines and of all those rich settlements which the Portuguese had made on the coast of Malabar and Coromandel, in the Peninsula of Malacca, and in the Spice-Islands of the Eastern Archipelago. In America his dominions extended on each side of the equator into the temperate zone. There is reason to believe that his annual revenue amounted, in the season of his greatest power, to four millions sterling, a sum near eight times as large as that which England yielded to Elizabeth. He had a standing army of fifty thousand excellent troops, at a time when England had not a single battalion in constant pay. His ordinary naval force consisted of a hundred and forty galleys. He held, what no other prince in modern times has held, the dominion both of the land and of the sea. During the greater part of his reign he was supreme on both elements.

His soldiers marched up to the capital of France; his ships menaced the shores of England. It is no exaggeration to say, that, during several years, his power over Europe was greater than even that of Napoleon. . . . Spain had what Napoleon desired in vain, ships, colonies, and commerce. She long monopolized the trade of America and of the Indian Ocean. All the gold of the West, and all the spices of the East, were received and distributed by her."*

Spain was the only European State which possessed a large colonial Empire. The importance of colonial possessions was only just beginning to arouse the ambition of Elizabethan mariners. It is curious to note that Henry's Grand Design proposed to ratify Spain's enormous colonial possessions, and even to add to them. Such a proposal with regard to any Monarch would find small support at any modern Peace Congress! Henry proposed strictly to limit the possessions of the House of Austria in Europe, and to divert Philip's attention abroad. It was the same policy that Bismarck followed towards France, after the Franco-German war.

But although an enormous amount of bullion poured into Spain from her American mines, Spain herself was denuded of her best manhood by the constant wars; the country was financially mismanaged, the rich so luxurious that as Don Quixote relates, even their money was perfumed; the people were poor and suffered untold horrors from the Inquisition, which was used by Philip to consolidate his royal power. Probably the same reason induced him to commit the folly of driving the Moors out of Spain. Had Dante lived in this century, he would have seen the Inquisition used for political reasons, not only by Philip but also by the Emperor.

* Macaulay. "War of the Spanish Succession." Essay.

All Governments, except the Turkish, then used torture as a means to a desired political end.

The Turks, under Solyman the Magnificent, and his successors, ruled over Asia Minor and Palestine, Greece, Macedonia, and the greater part of Hungary. They battered at the walls of Vienna, and for more than a hundred years they presided at Budapest, on the stately Danube, turning the Christian Churches into mosques, which may be seen there to-day, giving an Oriental appearance to the old town of Buda.

Poland was the largest Kingdom in Europe, with an elective monarchy; its territory reached from the Baltic, including Riga, to the Black Sea. In those days, the Elector of Brandenburg—the ancestor of the Hohenzollerns, held East Prussia first as a fief from Poland. In 1605 the Brandenburg Elector, as Carlyle relates, “squeezed his way into the actual guardianship of Prussia and its imbecile Duke.” So began modern Prussia. But early in the seventeenth century, parts of East and West Prussia were conquered by Sweden, which under Gustavus Adolphus (though Sweden had only a population of about a million) was one of the strongest military powers in Europe. The success of Sweden in the Thirty Years’ War ending in 1648, when Gustavus led the Protestant Princes against Catholicism, in the person of the Emperor, made Sweden one of the great European Powers. After Henry IV’s death, Gustavus ruled from the Alps to the Arctic Ocean, and aimed at a Baltic Empire for Scandinavia. Gustavus also gave Sweden a Parliament—the first European country to follow England’s example.

Italy was no more united than in Dante's time. The five Powers—the Papacy, Naples under Philip of Spain, Florence under the Duke of Tuscany, Venice and Genoa, as independent Republics—maintained a precarious and varying balance of power. A Florentine writer of the early sixteenth century described Italy as being "more enslaved than the Hebrews, more oppressed than the Persians, and more scattered than the Athenians; without a head, without order, beaten, despoiled, lacerated, and overrun, and has suffered ruin of every kind." In his pamphlet, written in 1513, he pleads passionately for the union of Italy under one ruler. The writer of this pamphlet—"The Prince"—was Machiavelli, and it was read in every European court. His theory that morality has nothing to do with politics, and that the end justifies the means, was a theory already adopted as a guiding principle by most European Governments. Pope Pius V had excommunicated and deposed Elizabeth; one of his successors urged Philip II to attack England and promised to subsidize the Armada, which was regarded by the Catholics as an ordeal by battle. The defeat of the Armada was accepted as a judgment of Heaven, and England became the most powerful and the first united Protestant Power. Yet under the late Tudors, England and Wales had only about four million inhabitants; France's population was four times as large, and Spain and Portugal had about twelve million people. In those days of priestly domination of men's and women's consciences and intellects, nothing more clearly shows Elizabeth's independent mind than her calm defiance of the Papacy. Nor was she greatly devoted to the Protestant religion;

she insisted on her supreme power as head of the Church of England, and suspended the Bishop of London because he married a fine lady and a widow. Her letter to Bishop Cox is characteristic and full of the royal art of brevity :—

“ Proud Prelate: You know what you were before I made you what you are; if you do not immediately comply with my request, by G— I will unfrock you.

“ ELIZABETH.”

Elizabeth's natural allies were the Dutch ruler and Henry IV of France; she supported the Dutch in their struggle against Catholicism and Spain, by sending men and money, also encouraged them by severe lectures if they did not follow her advice. She ruled as a despot in England and only summoned Parliament to grant supplies, not to legislate. She was in constant communication with Henry before he became King of France, after the assassination of Henry III in 1589. Fundamentally Henry and Elizabeth had the same views. After becoming King of France, Henry had to fight against the Catholic League, and even to besiege his royal city of Paris. These Civil Wars ended when he became a Catholic in 1593. But he was no more devoted to Catholicism than Elizabeth was to Protestantism. They were both philosophical statesmen who saw that various religions can be used as agencies of civilization. By the Edict of Nantes, Henry gave liberty of conscience to Protestants, and declared the principle that the State is independent of religion.

Henry and Elizabeth had much affinity of character. Had Elizabeth been younger and married him, their union might have altered remarkably

the course of European history. Elizabeth was an advanced thinker; no doubt she could have convinced Henry that there cannot logically be one moral standard for a man, and a different one for a woman, when they both have equally virile intellects. Henry obtained a divorce from his first wife, and then married a daughter of the Duke of Tuscany, a relative of the cultured and wealthy Medici family, who made Florence a mediaeval Athens. Henry was generous, courteous, good humoured, and witty; even his enemies depended on his bare word; he was chivalrous in battle, a fearless General, and his biographer Péréfixe, says that "he was a total stranger to revenge; his noble heart had no share of gall in it; he pardoned injuries and even quite forgot them." He was beloved in France, and is regarded as one of its best Kings. Péréfixe relates that he was "full of compassion to the poor country people, and often said he ardently wished for peace. . . . He said it was a barbarous thing and against all the laws of nature and Christianity to make war for war's sake, and that a Christian Prince ought never to refuse peace, unless he was manifestly too great a loser by it." In those days of luxury and gorgeous dress, when the Catholic League's nobles fought in brilliant velvets, plumed helmets, and embroidered scarves, Henry was frugal both in his house and in his dress. Manly and handsome in appearance, he preferred to wear plain grey clothes. Addressing his clergy once, he said to them, "My predecessors have paid you off with fine words, but I with my grey jacket shall give you deeds. Grey as my outside is, I am all gold within." Even the Quaker,

William Penn, said that Henry was "one of the greatest Princes that ever reigned in Europe." And Burke writes:—

"For Henry of Navarre was a resolute, active, and politic prince. He possessed, indeed, great humanity and mildness; but a humanity and mildness that never stood in the way of his interests. He never sought to be loved without putting himself first in a condition to be feared. He used soft language with determined conduct. He asserted and maintained his authority in the gross, and distributed his acts of concession only in the detail. He spent the income of his prerogative nobly; but he took care not to break in upon the capital; never abandoning for a moment any of the claims which he made under the fundamental laws, nor sparing to shed the blood of those who opposed him, often in the field, sometimes upon the scaffold."*

And just as the success of Elizabeth's reign was made by her wise councillors and statesmen, so Henry too had faithful and diligent helpers, particularly the Duc de Sully, who was given a rank next to the royal princes, and was Henry's life-long friend and co-operator. After issuing the Edict of Nantes, Henry with his faithful Sully began to reconstruct the finances and industries of France. They extinguished a large debt, and so restored France's credit, which had fallen very low, owing to the continuous wars. They developed agriculture and manufactures, made roads, bridges and canals, devised a whole scheme of internal water communication by canals and rivers, and they drained marshes. Treaties of commerce with England, Spain, and Holland were signed. The army was reorganized and Henry collected all the best officers from Germany and Switzerland, and built fortresses. At the end of his reign, he had a reserve fund of eighteen million livres, and could

* Burke. "Reflections on the Revolution in France."

have made war, Sully reckoned, for four years, without burdening the country with extra taxation. Henry beautified Paris. Two volumes of his letters ("Lettres Missives de Henri IV, publié par B. de Xivrey") prove that he was an industrious and charming letter writer.

In a letter written by Henry to Elizabeth in 1586, he tells her of the success of his armies, and says: "See Madame, what it will be when they are your armies too." From the correspondence of Sir Henry Anton, who was English Ambassador at Paris, we see that there was almost daily communication going on between the English and French courts. In a letter written to Anton by Burghley in 1592, the latter says, "In very truth upon the event of this present accident dependeth the health of our commonwealth, and the whole Christian world will profit by it." When Sir Henry Anton craved leave to return to England, Elizabeth wrote to him from "Our mansion of Greenwich" assenting to his request, and commanding him to "leave behinde you your Secretary to attend the Kinge, and to advertise us from tyme to tyme of such things as shall fall out ther meet to be made knowne to us, or as the Kinge shall give him direction to doe."

Some writers have belittled Henry's Grand Design, and scoffed at the idea that Elizabeth had anything to do with it. But there is in existence a record of a document—"A Treaty of Alliance and League between Henry IV, King of France, Elizabeth, Queen of England, and the United Provinces of the Low Countries to defend themselves against Spain. Done at the Hague, the 31st of October

1596." This treaty says that "as soon as this can be conveniently done and that within the next year 1597, there shall be a General Congress assembled and held by the Deputies of the different confederates and other Kings, Princes, Lords and States, who shall join in the aforesaid League . . . to advise together about the execution and fulfilment of the said League and Confederacy, with all that depends thereupon." And Péréfixe, who wrote his biography of Henry during the lifetime of Henry's children, says positively that the Design would have been carried out, and gives proofs of his statement. Rousseau says that "it was too good to be adopted."

States like England and France were something new at that time in Europe. During this century, Bodin, one of a number of brilliant French writers on law, formulated the principle of the sovereignty of the State, which he and others had learned from the claims of the Papacy. This sovereignty Bodin deemed to reside in the legislative power; that was—in France—the King. Henry IV was the hero of the Legitimists. In Paris at the University, there was a great school of Jurisprudence, the Code of Justinian was studied, and Roman law became incorporated with French law. But there was as much confusion and variety of laws in France as in Italy. The *Parlement* in Paris, and the smaller *Parlements* in the Provinces, which were appointed and paid by the King, seem to have done more in the way of administering justice than of legislating. Horace Walpole remarks that the *Parlement*—the Bar—was the only place for secular public speaking in the seventeenth century. The

Parlement of Paris was composed of Dukes, Peers, Prelates, and able lawyers nominated by the King.* International law was almost unknown; there was no College of Fetials in Europe in the sixteenth century. Ambassadors were murdered in Hungary, often no declarations of war were made; prisoners were used as galley slaves, neutrality was constantly violated, and the freedom of the seas was a myth. But at Paris University in Henry's reign Hugo Grotius was soon, by his famous book "The Right of War and of Peace," to found the modern study of international law. Henry's European Council, had it come into existence then, might eventually have provided that International Court of Justice, for the lack of which Europe has since suffered untold miseries.

Details of the internal administration of France—which was both wise and unwise—during Henry's reign, can be found in any French history; it is chiefly with his international activities that we are now concerned. His great interest in international relations is proved by his action as mediator in several well-known and important cases, particularly between Venice and the Pope, and between the King of Spain and the United Provinces.

By trying to limit the power of the Papacy in Venice and at last by arresting a certain Abbé and Canon (ecclesiastics were outside the jurisdiction of civil law) the Republic of Venice had a serious quarrel with Pope Paul V, who excommunicated

* The lawyers, nominated for life by the King, purchased their offices. The Peers sat as the "Court of Peers" and seldom attended. Thus the Paris *Parlement* was a Court of Justice, and not a representative Parliament. See "Memoirs of the Duke de Saint-Simon," trans. by Arkwright, vol. V, p. 59.

the Doge and the Senate. The Republican Government refused to give up the prisoners, and asserted that no power on earth could interfere with its internal affairs. A great controversy took place, and both disputants engaged the best writers to defend publicly their cause. The Senate disregarded the Bull of excommunication, and ordered the Jesuits to leave Venice. Then Henry offered his mediation, which was accepted by both the Pope and the Venetian Senate; he was successful in settling the quarrel, and so gained great fame and renewed the prestige of France in Italy. The Republic of Venice was very powerful—probably more so than the Papacy in Italy; the Senate carried on war with the Turks by sea and land, also with Hungary. But the oligarchy of the Venetian constitution had developed into a severe despotism, that used torture, hanging, strangling, poisoning, and assassination as political weapons; democracy was silenced, and Venice has shown to all the world that there may be less freedom in a Republic than under a limited monarchy.

Henry also arranged a truce between Spain and the United Provinces; both of these countries were tired of their long and devastating war. Henry had helped Maurice of Orange with funds and men: Frenchmen were allowed to volunteer, and there were several French regiments in the Dutch army. His biographer says that he gave "vast sums" to the Dutch. Finally Henry persuaded the King of Spain to make peace with his rebellious provinces—the United Provinces—a treaty was signed between them, and a truce for twelve years. Henry's gift for international work is shown further

by the fact that he did not attempt to persuade the United Provinces to become a monarchy like France: the Provinces became a successful Republic, and gave the greatest and noblest help to Europe in its famous freedom of the Press.

After this second brilliant success of the royal mediator, the Doge of Venice informed the French Ambassador in a Senatorial assembly, that Henry "was never mistaken in the measures he adopted, and never missed his aim, and that he was the true support of the peace and happiness of Europe." Péréfixe remarks that Venice had always been looked upon as "the seat of political wisdom, and that praises bestowed by that senate are like so many oracles." The Venetian ambassadorial correspondence was regarded as the subtlest in Europe.

The two instances of successful arbitration given are enough to shew that Henry was the best royal international mediator of the period, and go far to prove that it must be to his genius we owe the Grand Design, and not to the brain of Sully, as some writers declare. Sully was a good and careful economist and financial authority, but it may be doubted whether he had sufficient imagination to form such a magnificent plan.

A preliminary redistribution of territory had been arranged; France and England were not to gain any territory. Three religions were to be allowed—the Roman Catholic, the Lutheran, and the Reformed or Calvinist Church. Henry made the first European proposal for an international army and navy. Péréfixe says that he "had taken care to have all the ablest pens in Europe for him, as it was his intention rather to use persuasion than force, and

to have people made so well acquainted with his design that they should come to look upon him as come to rescue them from bondage." But Henry made the same mistake that was made more than two hundred years later at Troppau by the Quintuple Alliance. He proposed that the General Council should have power to interfere in the internal affairs of the Allied States. He had other far-reaching plans. When the General Council and its affairs were settled, he wished to drive the Turks out of Europe.

Magnificent plans! But to-day these sage sentences of Montaigne, the most philosophical observer of Henry's reign, are as true as when he wrote them: "Our Commonwealth is much crazed and out of tune. Yet have divers others been more dangerously sicke and have not died. The gods play at hand-ball with us, and tosse us up and downe on all hands. The gods, perdie, doe reckon and racket us men as their tennis-balles."

For the malicious gods made "tennis-balles" of Henry and his Grand Design, after he had made careful preparations for his plan during some years. He was fatally struck by an assassin, in Paris, in 1610, as he was on the eve of leading his forces to begin the struggle for a United Europe, after declaring war on the Austrian Emperor.

The only contemporary account of the Grand Design is in the "Mémoires" written by the Duc de Sully, after he had retired from the active service of the State. The following abridged translation from the "Mémoires" gives particulars of the plan; it also indicates the character of Sully.

ABRIDGED EXTRACT FROM MÉMOIRES
DU DUC DE SULLY

BOOK 30

A thousand cruel wars—those which made France a prey to the English, those which France waged in Italy, Burgundy and Spain—can only be imputed to civil quarrels which preceded them, in which the weakest, stifling the voice of honour and the true interests of the country, called in foreigners to help to secure their liberty—a sad and shameful remedy, continued until my days by the (Catholic) League, of which religion was only the pretext. A second evil cause of the many French wars was the dissolute morals, the thirst for riches, and a monstrous luxury. Such have been the changes in our unfortunate policy, whatever might be the form of government—the will of the people, the army, the nobles, the various Provinces, or the elective, hereditary, or absolute Kings. Some of the Kings were noble and to be admired. But their subjects were unhappy. Excessive taxes, immense sums sent to distant countries to ransom prisoners, millions of citizens sacrificed, and illustrious families extinguished—all filled France with a common sorrow, and the age seemed a universal calamity. After this experience, a thousand times reiterated, we can only decide, as ought to have been decided long ago, that the happiness of men will never be born from war. This is absolutely proved by the history of France. . . . I admit, however (for it would be unjust to attribute to our Kings alone a crime which is also the crime of all Europe) that the wars of some of these Princes

were just and necessary, and brought them real glory. Some of these wars were foreseen, prepared for and conducted by political sagacity, and by brave leaders worthy of all praise. How can one prove the error of these exploits, apparently so glorious, whose results have nearly always been the desolation of Europe? Of the whole of Europe, I repeat, for one can easily see that in the present state of Europe, and that in which it has been for several centuries, any attempt to subject one of the principal Kingdoms at the expense of the others is an impossible and chimerical enterprise. Any one of these great Kingdoms could only be overthrown by a cause superior to all human force. Therefore the only question is how to make them exist on an equality. Any Prince who thinks otherwise will make blood flow throughout Europe without being able to change its face.

When I said that France has not to-day the extent of territory she had in the time of Charlemagne, I assuredly did not mean that this diminution is an evil. In the unhappy event of having ambitious Princes, it would be well to flatter that ambition had not experience proved that the greater the Kingdom the more subject it is to misfortune. The basis of the tranquillity of France undoubtedly depends on keeping our present boundaries. Climate, laws, morals, languages that are not like ours: seas, impassable chains of mountains are so many barriers placed by nature herself. What else does France require? Will she not always be the richest and most powerful Kingdom in Europe? No, the French have nothing more to desire; if only heaven gives them good, wise, and

religious rulers, then these Kings will have nothing to do but preserve the peace of Europe. No other enterprise can succeed, or be in any way profitable for them.

Here, then, are particulars of Henry IV's scheme which was on the eve of being begun, when it pleased God to call him too soon for the happiness of the world. His plan is different from any hitherto undertaken by any crowned head. By it he won the name of Henry the Great. His views were not inspired by a small and miserable ambition, or limited by a low and base interest. He wished to make France eternally happy, and as she could not have this perfect felicity unless the whole of Europe shared it with her, it was the welfare of Christendom at which he aimed—to place it on so solid a basis that nothing in future could ruin its foundations. . . . On this subject I was myself, perhaps, harder to convince than any one else, because I am by nature cold, cautious, and not enterprising, as I have shown in my actions. . . .

Henry of Navarre formed this design from the time when, called to the throne on the death of Henry III, he regarded the humiliation of the House of Austria as absolutely necessary for his own safety. If the first idea of his plan did not come from Queen Elizabeth, it is at least certain that this great Queen had thought of it herself previously, as a means of revenge for the whole of Europe on their common enemy. The troubles that filled the succeeding years, the war in 1595, and the war against Savoy embarrassed Henry and obliged him to attend to other affairs. After his marriage, when peace was secured, he could take

up again the idea of his design which then seemed more impossible, or further away than ever.

Nevertheless he corresponded with Elizabeth, and this was the reason why they much wished to arrange an interview in 1601, when the Queen came to Dover and Henry was at Calais. Ceremony did not permit them to meet, but I broached the subject when I went to see the Queen. I found her greatly occupied with the means of making this great project succeed, and notwithstanding the difficulties she imagined, especially the reconciliation of religions and the equality of the Powers, she seemed to me not to doubt of its success. She reassured herself on grounds which I recognize as just: it is that this plan is open to no objection except from the point of view of ambitious princes, who are known as such; this difficulty only makes it more necessary, and will hasten, not retard its success. However, she said that it was to be wished that it could be carried out by other means than force, which is always odious, but she agreed that at least one could probably begin in that way. A great part of the articles, the conditions, and different arrangements are due to this Queen, and they clearly prove that for penetration, wisdom, and all other mental qualities, she was equal to any of the worthiest Kings.

It was a very great misfortune that Henry could not at once second the wishes of the Queen of England, who desired that without losing a moment, the work should begin. . . . The consolidation of his Kingdom, everywhere afflicted, was a labour of some years, and unhappily he was forty-eight years old before he could set to work

at the design. But he did everything possible to forward the matter. The Edict of Nantes had this object in view. Every means of securing the respect and confidence of the Princes of Europe was taken, while he and I worked with indefatigable patience at the internal conditions of his Kingdom. The death of the King of Spain (Philip II) seemed to be a happy thing for our design, but the death of Elizabeth was such a blow that we feared we should have to abandon the entire project. Henry did not expect from the Kings of the North, or from James I, when he knew their characters, that any of them would so willingly consent as Queen Elizabeth to help him to bear this burden. However the new Allies whom he gained every day in Germany, and in Italy, consoled him a little for her loss. The truce between the Netherlands and Spain was an unfavourable incident. . . .

Henry discovered the secret of persuading his neighbours that his sole object was to spare himself and his allies the immense sums spent on thousands of soldiers, fortresses, and other military expenses: to deliver them from the constant dread of sanguinary catastrophes, so common in Europe; to gain an unalterable repose, and to unite them all in indissoluble bonds, so that all the Princes could live as brothers, and visit each other unceremoniously as good neighbours, without the expense of a suite that often only hid their miseries. Is it not a disgrace to people so polished, that all their professed wisdom has not up till the present—I will not say preserved tranquillity, but saved them from the madness which they detest in the most savage and barbarous nations? To prevent these

cruel events, to crush in the germ these pernicious seeds of confusion and revolt, can one imagine anything better than the design of Henry the Great, and can one provide more precautions? Here is as much as one can reasonably demand. It is only in the power of humanity to prepare and to act: the success of the work is in the hands of a higher power.

GRAND DESIGN OF HENRY IV

THE OBJECT.

The object of the plan was to divide Europe between a number of Powers, who would then have nothing to envy each other for on the ground of equality, and no reason to fear that the Balance of Power would be disturbed.

NUMBER OF STATES.

The number of States was reduced to fifteen, and they were of three kinds: viz. six great hereditary monarchial Powers, five elective Kings, and four sovereign Republics. The six great Monarchies were Great Britain, France, Spain, Sweden, Denmark, and Lombardy. The five elective Monarchies, the Holy Roman Empire, the Papacy, Poland, Hungary, and Bohemia. The four Republics, Venice, Italy, Switzerland, and the Dutch Republic.

LAWS AND STATUTES.

The laws and statutes calculated to cement the union of all these States, and to maintain order; the reciprocal oaths and pledges as regards religion and politics; mutual assurances for freedom of trade; the measures to be taken for making all these divisions

HENRY IV'S "GRAND DESIGN" 101

with equity, would be decided on to the contentment of all parties. Details could be arranged in the General Council, representing all the European States: also reforms which would from time to time be necessary.

THE GENERAL COUNCIL.

The model of this Council has been founded on the Amphictyonic Council of ancient Greece, with modifications suitable to our usages, climate, and our political aims. It will consist of a number of commissioners, ministers, or plenipotentiaries from all the Powers of the Christian Republic, continually assembled as a Senate to deliberate on affairs as they arise, to discuss different interests, to pacify quarrels, to throw light on and oversee the civil, political, and religious affairs of Europe, both internal and foreign. The form and procedure of the Senate will be decided by the votes of the members. It might be composed of four commissioners from each of the following Powers: the Emperor, the Pope, the Kings of England, France, Spain, Denmark, Sweden, Lombardy, Poland, the Venetian Republic, and of two commissioners for each of the lesser Powers. This would be a Senate of about seventy persons, who might be elected once every three years.

THE PLACE OF MEETING.

It would have to be decided whether the Council should meet always in one place, or should move from town to town. If it were divided into three parts of twenty-two magistrates each, they might meet in Paris or Bourges, at Trent or Cracow. If it were decided not to divide the Council, the meeting-place should be in Central Europe, in one of

the fourteen following towns: Metz, Luxemburg, Nancy, Cologne, Mayence, Trèves, Frankfort, Würtzburg, Heidelberg, Spire, Worms, Strasburg, Bale, Besançon.

MINOR COUNCILS.

As well as the General Council, there should be a number of Minor Councils, say six, which might meet at Dantzic, Nuremburg, Vienna, Bologna, Constance, and another Council in a place most convenient to France, England, Spain, and the Belgian Republic.

APPEAL COURT.

The Minor Councils should have recourse by appeal to the General Council, whose decisions must be irrevocable.

COMBINED ARMY AND NAVY.

The Allied Powers, according to the capability of each, would provide soldiers and war-ships. The General Council would decide the quota for each State to contribute, and the amount of financial support necessary to maintain this armament. Henry IV suggested that the force should include 70,000 infantry, 50,000 cavalry, 200 cannons, 120 war-ships.

CONQUERED COUNTRIES.

New Kingdoms would be formed out of conquered countries, which would join the Christian Republic, and be given to different Princes, excluding those who were already among European sovereigns.

POLITICAL OBJECTS.

The purely political part of the plan was to despoil the House of Austria of all its possessions

in Germany, Italy, and the Netherlands—in a word, to confine it to Spain, bounded by the Atlantic, the Mediterranean, and the Pyrenees, and in order to make this House equal to the other Powers, to give to it Sardinia, Majorca, Minorca, and other islands on those coasts; the Canary Isles, the Azores, Cape Verde Island, and its present possessions in Africa; Mexico, with the American islands belonging to it; countries which would suffice to found great Kingdoms; and finally the Philippines, Goa, the Moluccas, and Spain's other possessions in Asia.

FINANCE.

All the Powers joining the Christian Republic should tax themselves for the maintenance of the combined army and navy, and for other things necessary for the success of the plan, until the General Council could specify the amounts for each.*

* An interesting criticism by Rousseau of Henry's Grand Design, and a description of the preparations he made for it and the European political situation, will be found in chapter VII. Henry's was not the first French international scheme. In 1306, Dubois proposed an international Court of Justice: his aim was the supremacy of France. In 1587 Francois de la Noue, who had been imprisoned and then in the service of Henry IV, proposed a European League against the Turks, and an international Conference at Augsburg. Also Georg von Podiebrad, King of Bohemia, in 1458, advocated a Perpetual Union of Christendom against the Turks, with a Parliament, or Court, to meet in different States, and a combined army. It was to be a Parliament of Kings and Princes. Pope Innocent III (1198—1216) and Pope Leo X (1513—1521) had great international designs. Particulars of these schemes are in "Der Gedanke der Internationalen Organisation in Seiner Entwicklung" by Dr. J. Ter Meulen (The Hague, 1917).

CHAPTER IV

GROTIUS ON ARBITRATION

As a temple that holds no echoes of prayer or song remains an empty building, so a volume dealing with the subject of international law would be lacking in harmony without some reference, however brief, to the great pioneer work of Huig van Groot—Hugo Grotius. He was born at Delft in 1583. His father was a lawyer, and the family was descended from French Huguenots. The boy Hugo was a genius. When nine years old, he composed Latin verses; when twelve, he studied at the University; and when only fifteen, he edited an Encyclopædia. In the same year, he went to Paris as *attaché* to the Dutch Ambassador, and was there honoured by Henry IV, who with his own royal hands hung his picture round Hugo's neck. The youth spent a year in Paris, meeting all the principal people, then returned home, where he took his degree of Doctor of Laws, and pleaded his first case when he was seventeen years old. From the first, he was devoted to literature. He edited Aratus, wrote three dramas in Latin, and was appointed historiographer to the United Provinces. Then he became advocate-general for Holland and Zeeland. In 1613 Grotius came to London with a Dutch deputation and was kindly received by James I. This honour Grotius would

scarcely expect, for in 1604 he had published a treatise on "The Freedom of the Sea" showing that no country can claim possession of the ocean. Sweden and Denmark claimed the sovereignty over the Baltic, Venice over the Adriatic, Portugal over the ocean round her Indian colonies, and England's claims were still larger. But Grotius was welcomed by London lawyers, and Casaubon wrote to Heinsius: "I cannot say how happy I esteem myself in having seen so much of one so truly great as Grotius. A wonderful man! This I knew him to be before I had seen him, but the rare excellence of that divine genius no one can sufficiently feel who does not see his face and hear him speak. Probity is stamped on his features; his conversation savours of true piety and profound learning."

For taking an active part in a theological dispute in Holland, Grotius was in 1619 condemned to imprisonment for life, and his property was confiscated. He was confined in the fortress of Louvestein, and his noble wife voluntarily shared his captivity. He was allowed to have his books sent into the prison, and spent his days translating Greek tragedies. His wife suggested a way of escape; ventilation holes were bored in a book-chest, Grotius took the place of the books, and the chest was conveyed out of the prison by unsuspecting jailers to the house of a friend, whence Grotius escaped to Paris, and later his wife joined him there. He was welcomed by the French, and Louis XIII gave him a pension, which was not immediately forthcoming, so Grotius was very poor.

It was during his residence of eleven years in Paris that he wrote his famous book "The Right of War and of Peace." It was published in 1625. He received no monetary rewards from it, but it became more famous than any other legal treatise. It was written in about a year; the learned author had been meditating on the subject for years, and his earlier book "The Freedom of the Sea" contains, in fact, the whole system of thought that is in the larger volume, which is a rich and wonderful store-house of apt quotations from the Scriptures, the ancient classics, Canon law, the Code of Justinian, and history. Grotius was a Protestant, and he had, like Dante and Cicero, an intense love of justice. All his life he had been surrounded by war, for in the sixteenth and seventeenth centuries, Europe was a resounding battle-field. Non-combatants were most cruelly treated; ministers of religion were mutilated, whole cities were exterminated, and the inhabitants massacred. During the Thirty Years' War in the seventeenth century, the rich Hanseatic city of Madgeburg was reduced by the Emperor's forces to a heap of blackened ruins. War was carried on with the utmost savagery. The Pope had issued a decree releasing Kings from their treaty oaths: it said "an oath contrary to the interests of the Church is void." After the Treaty of Westphalia, in 1648, ending the Thirty Years' War, Pope Innocent X issued a bull absolving the signatories of the treaty from their oaths. So treaties were "scraps of paper."

In his preface to "The Right of War and of Peace" Grotius says: "I observed throughout the

Christian world a licentiousness in regard to war which even barbarous nations ought to be ashamed of, a running to arms upon very frivolous or rather no occasions, which being once taken up, there remained no longer any reverence for Right, either divine or human, just as if from that time men were authorized and firmly resolved to commit all manner of crimes without restraint." Grotius acknowledges his debt to previous writers, to Gentilis (who lectured at Oxford in 1589), Ayala, and others. But the book by Hugo Grotius is the first fairly complete treatise on international law.

Gustavus Adolphus of Sweden, the greatest King of his time, who was centuries ahead of other European monarchs, always carried Grotius' book with him during the Thirty Years' War, and slept with it under his pillow—as Alexander the Great on his campaigns carried Homer in a golden box. Gustavus insisted on mercy being shown on the battlefield, and made eloquent speeches to his soldiers—whose plain fare and hardships he always shared—urging them not to be cruel. His military reforms were afterwards adopted by all armies, and Napoleon said that he had revolutionized the Art of War. So Grotius' appeal to humanity soon had an effect on practical soldiers, not only on legal minds.

Grotius said that war was legitimate, if just. Even Erasmus, in his powerful plea "The Complaint of Peace," written in 1519, admits that purely defensive wars are necessary and just. Erasmus said that instead of finding a habitation for Peace in the palaces of princes, he discovered in them "all the embryos, seminal principles, and

sowers of all the wars that ever cursed Mankind and desolated the universe.”

Grotius argued that human nature is the Mother of Natural Law (which he distinguished from the law of Christ), and Natural Law is the Mother of Civil Law. Hallam says that Grotius' great book “ may be considered as nearly original, in its general platform, as any work of man in an advanced stage of civilization and learning can be. It is more so, perhaps, than those of Montesquieu and Adam Smith.” And Wheaton remarks that this age, “ peculiarly fruitful in great men, produced no one more remarkable for genius and for variety of knowledge, or for the important influence his labours exercised upon the subsequent opinions and conduct of mankind. Almost equally distinguished as a scholar and man of business, he (Grotius) was at the same time an eloquent advocate, a scientific lawyer, classical historian, patriotic statesman, and learned theologian. His was one of those powerful minds which have paid their tribute to the truth of Christianity.”*

Grotius was never able to return permanently to his native country: he remained in exile. After the publication of his book, Queen Christina of Sweden sent for him, and made him a Councillor and her Ambassador to France, a post he held for eleven years. On a return journey from Sweden, after resigning his post, he died at Rostock in Germany, in 1645, and his body was entombed at Delft. This was three years before the Treaty of Westphalia, which began a new era in the establishment of permanent legations in all civilized States, and

* “ History of the Law of Nations.” H. Wheaton, LL.D. p. 54.

in the regular study of the Law of Nations in universities, as a new science founded by the book of Grotius.

In the preface to his abridged translation of the famous volume of Grotius, Dr. Whewell writes: "The progress of the study of International Law, on such principles as those of Grotius, and the increase of a regard for the Authority of such Law, are among the most hopeful avenues to that noble Ideal of the lovers of mankind, a Perpetual Peace: the most hopeful, because along this avenue we can already see a long historical progress, as well as a great moral aim."

During The Hague Conference of 1899, on July 4th, the United States Ambassador to Berlin, in the presence of the delegates to the first Peace Conference at The Hague, placed a wreath of silver oak and laurel leaves on the tomb of Hugo Grotius in Delft Cathedral, on behalf of the President and People of the United States. In his address, the Ambassador, Mr. White, said: "Of all books not claiming divine inspiration, Grotius' book 'De jure Belli ac Pacis,' written by a man proscribed for his politics and religion, has proved the greatest blessing to humanity. More than any other it has prevented unmerited suffering and misery and sorrow. More than any other it has promoted the blessings of peace and diminished the horrors of war. . . . For my honoured colleagues of the Peace Conference, the germ of this work in which we are all so earnestly engaged, lies in a single sentence of Grotius' great work. The germ of arbitration was planted in modern thought by these solemn words of the 'De jure Belli ac Pacis': 'Especially

ought Christian Kings and States to adopt this way of avoiding arms.' ”*

Lord Acton adds his testimony to the influence of Grotius in these words: “In the eighteenth century, the two ideas of Grotius, that there are certain political truths by which every State and every interest must stand or fall, and that society is knit together by a series of real and hypothetical contracts, became . . . the lever that displaced the world. When, by what seemed the operation of an irresistible and constant law, royalty had prevailed over all enemies and all competitors, it became a religion.”† And Sir Henry Maine observes that “the book of Grotius, though it touches questions of pure ethics in every page, and though it is the parent, immediate or remote, of innumerable volumes of formal morality, is not, as is well known, a professed treatise on Moral Philosophy; it is an attempt to determine the Law of Nature, or Natural Law.”‡

GROTIUS ON ARBITRATION

I. FOR PREVENTING WAR.

There are three ways in which controversies may be prevented from breaking out into war. The first is, Conference; the third way is by Lot.

Book II. Chap. xxiii. Sec. viii. 1. Another way, between parties who have no common judge, is, by reference to Arbitration. As Thucydides says, “It is wicked to proceed against him as a wrong-

* An Address by Mr. A. White, U.S. Ambassador at Berlin, on Independence Day, July 4, 1899.

† Lord Acton. “History of Freedom,” p. 47.

‡ “Village Communities,” p. 338.

doer, who is ready to refer the question to an Arbitrator." So, as narrated by Diodorus, Adrastus and Amphiarus referred the question concerning the Crown of Argos to the judgment of Eriphyle. To decide the question concerning the island of Salamis, between the Athenians and the Megareans, five Lacedaemonian umpires were chosen. Thucydides tells us that the Corcyreans notified to the Corinthians that they were ready to refer the matter in controversy between them to such cities of Peloponnesus as they should agree upon. And Aristides extols Pericles, because, to avoid war, he was willing "to accept Arbitrators." And Isocrates in his oration against Ctesiphon praises Philip of Macedon, because he was ready "to refer his differences with the Athenians to any disinterested and impartial State."

2. So formerly the Ardeates and the Aricinians, and later the Neapolitans and the Nolans, referred their disputes to the Roman people. And the Samnites in their variance with the Romans appealed to common friends. Cyrus makes an Indian King the arbitrator between himself and Assyria. The Carthaginians, in their controversies with Masinissa, appeal to an arbitration in order to avoid war. The Romans themselves in their differences with the Samnites (according to Livy) refer to their common allies. Philip of Macedon, in his disputes with the Greeks, would have his disputes ended in the same way. At the request of the Parthians and Armenians, Pompey appointed Arbitrators to regulate their boundaries. Plutarch says that the principal business of the Roman Feacial Priests was "not to allow an appeal to arms till all hope of a

peaceable settlement was lost." And Strabo says of the Druids in Gaul that "formerly they were the umpires between nations at war, and often separated without fighting those who were drawn up in warlike array against each other." The same writer records that the priests in Spain performed the same office.

3. But much more are Christian Kings and States bound to try this way of avoiding war. For, if in order to avoid going to law in infidel Courts certain arbitrators were appointed by Jews and by Christians, and that course commanded by St. Paul (1 Cor. vi.), how much more ought it to be done in order to avoid a much greater inconvenience, namely, War? So Tertullian argues that a Christian must not bear arms, since he may not even go to law; which, however, according to what we have said elsewhere, must be understood with a certain qualification.

4. And, both for this reason and for others, it would be useful, and indeed it is necessary, that Congresses of Christian States should be held, in which the controversies which arise among some of them may be decided by others who are not interested, and in which measures may be taken to compel the parties to accept Peace upon fair and reasonable terms. This indeed was the employment of the Druids of old among the Gauls, as related by Diodorus and Strabo. We read, too, that the Kings of France referred to the nobles the judgment of questions concerning the division of the Kingdom . . . (Book II).

But that war may be called just in the sense under consideration it is not enough that it is made

between Sovereigns, but it must be undertaken by public deliberation, and so that one of the parties declare it to the other—whence Ennis calls it published battles (Book III).

In 1623, Eméric Crucé (who must have met Grotius in Paris), a Frenchman, published in Paris "Le Nouveau Cynée," containing probably the first proposal for international arbitration. He proposed a World-Union, including Persia, China, East and West Indies, and all countries. A good translation of this book is by T. W. Balch, of Philadelphia. Crucé proposed free trade, and joining the seas by means of canals.

CHAPTER V

WILLIAM PENN'S EUROPEAN PARLIAMENT

FOR many generations the family of Penn had lived as country squires at the village of Penn in Buckinghamshire. Another branch of the family lived in Wiltshire, and from this branch William Penn's father, Admiral Penn, was descended. Admiral Penn, who had rapidly gained promotion in the Navy, was sent by Oliver Cromwell with a fleet against Spanish America in 1655: he failed to accomplish his errand, but on his return captured Jamaica, thus founding the British West Indian Empire. On his arrival, he was thrown into the Tower for five weeks and deprived of his command by Cromwell, who had discovered some treasonable Jacobite correspondence. When the Admiral was released, he went with his family, including his eldest son William (born in 1644), to his Irish estate. So, as a boy of eleven, William Penn spent some years in Ireland, and enjoyed an athletic, out-door life, also studied with private tutors.

When Richard Cromwell resigned the Protectorship, Admiral Penn offered his services to Charles II: he was knighted, and made a Commissioner of the Navy. The Clerk of the Navy was then Samuel Pepys, who in his famous diary, has much to say about his chief, "Sir W. Pen"

and "Lady Pen." Often they were "mighty merry" together; Sir William and Pepys rode up and down in coaches together from the Navy Office, near the Tower, to Whitehall, and sailed on the Thames, discoursing of naval and Court affairs. But Pepys was displeased when, in the Dutch war, James, Duke of York, who was Lord High Admiral and the future King of England, took Penn on his flagship as "Great Captain Commander." Then began a friendship between the Penns and the Duke of York that was to have momentous results for William Penn and for America.

When William Penn was twelve years old, he had a remarkable spiritual experience. He relates that when alone in his room he was suddenly surprised with an "inward comfort," and, as he thought, an "external glory" in the room, which gave rise to religious emotions, during which he had the strongest convictions of the being of a God, and that the soul of man was capable of enjoying communion with Him. He believed that the seal of Divinity had been put upon him at this moment, or that he had been awakened, or called to a holy life. In Ireland, young Penn had heard a Quaker, Thomas Loe, preach, and had been much affected. After Sir W. Penn's return to London, William was sent to Christ Church, Oxford, in 1660. Here he again heard Thomas Loe preach, and Penn and a group of undergraduates held meetings for prayer. The Universities were then, wrote Penn, "signal places for idleness, looseness, profaneness, prodigality, and gross ignorance." One of the dons at Christ Church was John Locke, twelve years older than Penn; in later years Locke

was deprived of his Fellowship—he was too tolerant for Christ Church. William Penn, also, in 1662, was expelled from Christ Church, “for being religious in too original a way,”* remarks Graham. The Admiral thrashed William, and turned him out of the house, but soon relented, and sent him to France. At Paris, William was presented to Louis XIV, and spent some time in the gay city: then he studied for two years at the Huguenot College at Saumur, where he became a good linguist, read the classics, and studied French history. No doubt at this time he became acquainted with Henry IV’s Grand Design, which is referred to in his essay on a European Parliament, given in this chapter. After leaving Saumur, he travelled in Switzerland and Italy, where he met Algernon Sidney, the great Republican, and they became close friends. Sidney also was an idealist. He had been on a diplomatic mission in Sweden: then had resided in Venice and Rome, and had seen the Swiss Republics; his observation of different forms of Government well qualified him later to help Penn in drawing up a constitution for Pennsylvania.

On William Penn’s return to England, Pepys remarked that he was “a most modish person, grown a fine gentleman. . . . Something of learning he has got, but a great deal, if not too much, of the vanity of the French garb and affected manner of gait and speech.”

For a short time he studied at Lincoln’s Inn and then he served on his father’s staff. The year after Penn’s return, 1665, was the Great Plague in

* J. W. Graham, M.A. “Life of W. Penn,” p. 21.

London. William was sent to Ireland, to manage his father's Strangarry Estate, near Cork. He helped the Duke of Ormonde's son to quell a mutiny at Carrickfergus Castle, and at this time of militarist fervour, had his portrait in armour painted. This was Penn's last military adventure. Henceforward he fought with the pen—no more with the sword. In 1665 he heard Thomas Loe, the Quaker, preach again, and he became a convinced Quaker. Then, as he writes "the bitter mockings and scornings that fell upon me, the displeasure of my parents, the invectiveness and cruelty of the priests, the strangeness of all my companions, what a sign and wonder they made of me, but above all, that great cross of resisting and watching against mine own inward vain affections and thoughts." So, at twenty-three years of age, William Penn passed through Vanity Fair, and began a long and eventful pilgrimage.

At once persecution began. For attending a Friends' Meeting, he was thrown into prison. On his release, he was ordered home, and his father, in despair, begged him to take off his hat, at least, to the King and the Duke of York. Penn declined to do so, and the Admiral expelled him from home and threatened to disinherit him. Lady Penn arranged a reconciliation between the angry father and the Quaker son. In 1668 Penn became a Quaker minister, and in this year published his first writings. His collected works include fifty-eight volumes; much of the writing was controversial, and suited to a time when the young Quaker community had many enemies, and few understood their doctrines. Also the Quakers had few able

writers except Barclay and Penn to defend them. Probably Penn's book most read in this century is "Fruits of Solitude."

During Charles II's reign, there was a bitter persecution of the Quakers: for more than a generation the jails were full of Friends: many died in prison. In 1668, William Penn published "The Sandy Foundation Shaken," and because he had not obtained the Bishop of London's licence to print the book, he was imprisoned in the Tower of London for eight or nine months. During this period he wrote his greatest work—"No Cross, No Crown"—an appeal for practical Christianity. On his release he continued his missionary work, visiting Friends in Ireland. In 1670 the Second Conventicle Act was passed, forbidding all Non-conformist meetings, and depriving the accused of trial by jury. Quakers carried on their meetings as usual; many were broken up by soldiers, and harmless Friends taken to prison. For preaching outside the meeting-house in Gracechurch Street, London, Penn and Mead were arrested, and a famous trial took place, lasting some days: the jury refused to convict, the magistrates bullied them and sent them to prison, but twelve judges decided that the imprisonment of the jury was illegal, and that a jury alone is the judge of the facts. This trial did much to preserve civic freedom, and independence of juries.

In 1676 Admiral Penn died. The greater part of his property was left to William Penn, subject to Lady Penn's life interest. Lands in England and Ireland brought in £1,500 a year, and Admiral Penn had a claim on the Crown for loans and

arrears of salary for £15,000. He had asked the Duke of York to be William Penn's guardian and protector.

William Penn lived for a time quietly in the ancestral village of Penn, and met Guli Springett, who later became his wife. In 1671 Penn was again arrested for speaking at a meeting in London, and sent to Newgate for six months. In 1672 he married Guli.

Charles II published a Declaration of Indulgence which was, observes Hallam "more to serve the interests of Catholic than of Protestant non-conformity";* but in 1673 Charles agreed to the passing of the Test Act, and persecution broke out again. Penn worked hard on behalf of Friends, visited statesmen, and wrote accounts of the sufferings of the Quakers.

It was as a result of these persecutions that Friends began to find new and safe homes in America. In 1673 George Fox returned from a visit to American Friends in New Jersey, and stayed with the Penns, when it was decided to buy some land in New Jersey belonging to Lord Berkeley. Some Friends sailed from England and founded the town of Salem. Then Penn and other Friends became trustees for property in West New Jersey, and five vessels full of emigrant Friends sailed for the new home across the Atlantic in 1678 and 1679. In a few years 1,400 Quakers had settled in West New Jersey, and in 1681 Penn and other Friends bought East Jersey. New Jersey became a prosperous colony, and Penn drew up a constitution

* "Constitutional History of England," vol. II, p. 316. (Everyman's Library.)

giving perfect religious toleration, a democratic assembly with manhood suffrage and vote by ballot, trial by jury, and elected judges.

In 1679 Penn accompanied George Fox, Barclay, and other Friends on a missionary journey in Holland and Germany. On his return to England, he helped his friend, Algernon Sidney, in two election campaigns at Guildford, and Bramber, in Sussex. Sidney was elected both times, but the Court annulled the elections. Politics were then at the lowest ebb. Charles II was in the pay of Louis XIV, and between them there were secret treaties. Hallam states that "it was the treacherous attachment of Charles II to French interests that brought the long Congress of Nimeguen to an unfortunate termination, and, by surrendering so many towns of Flanders as laid the rest open to future aggression, gave rise to the tedious struggles of two more wars."* The secret treaty with France was a conspiracy against freedom and the Protestant religion, and in order to make a union among Protestants in England impracticable, the Anglicans were encouraged to persecute the Nonconformists. Having funds from Louis at his disposal, Charles prorogued Parliament at his pleasure. William Penn could not himself stand as a candidate for Parliament, because he refused to take any oath. The Test Act of 1673 made it necessary for all in public employment to receive the Sacrament according to the rites of the Anglican Church, and to renounce the doctrine of transubstantiation. The Act was directed by Parliament against Catholics, and was a warning to Charles not to declare

* *Op. cit.*, vol. II, p. 361.

himself a Catholic, as Louis XIV was urging him to do, but the Act also bore hardly on all Dissenters. Not only the Stuart King, but Members of Parliament were bribed by Louis XIV. The whole history of the reign of Charles II is a story of intolerance, intrigue, and political and social corruption. Parliament represented chiefly the aristocratic and land-owning classes. It was in 1679 that the words Whig and Tory were first heard. "We can frame no adequate conception of the jeopardy in which our liberties stood under the Stuarts, especially in this particular period, without attending to this spirit of servility, which had been so sedulously excited. It seemed as if England was about to play the scene which Denmark had not long since exhibited by a spontaneous surrender of its constitution,"* states Hallam. Charles wished to dispense with the House of Commons.

There is small wonder that William Penn and the persecuted Quakers looked across the Atlantic to that land where they would be free from these dangers and far from such scenes of corruption. The tyranny of the early Stuarts resulted in the voyage of the Pilgrim Fathers to New England. The persecution of Dissenters under Charles II resulted in the founding of New Jersey and Pennsylvania. William Penn had many titled friends at Court; the Duke of York was his guardian; he petitioned the Committee of the Privy Council on Trade and Plantations—the Colonial Office of the period—for a grant of land in North America as a settlement of his financial claim on the King. The

* *Op. cit.*, vol. II, p. 424.

charter was signed by the King on March 14, 1681, and the King named the new Colony Pennsylvania, in honour of Admiral Penn. William Penn was made owner of the territory, with right to appoint magistrates, hold courts, and sell land; legislation was subject to the approval of the King in Council, and the new Colony might only trade with England. The King reserved the right to levy taxes. There were disputes about the boundaries which took some time to settle.

Hepworth Dixon relates that Algernon Sidney and Penn worked together in drawing up the constitution. Sidney insisted that the democracy must decide its own laws, and "on this point the constitution of Pennsylvania and Delaware and after them the constitution of the United States owe an eternal obligation to Sidney,"* states Dixon. The Constitution was undoubtedly the most democratic and advanced in the world at that time.† It provided for religious toleration, the sovereignty of the people, a Council, and an Assembly which was to consist of all the freemen of the Province; every tax-payer could vote; trials were by jury (there was then no jury system on the Continent of Europe) and all prisons were to be workshops and reformatory in character. Members of the Council and Assembly and all judges were to profess faith in Christianity. No oaths were required. The whole scheme, "with its reverence for humanity, as such, was the expression of Quakerism in Government."‡

To describe in detail the further development of the young colony would require a volume.

* Hepworth Dixon. "History of W. Penn," p. 195.

† See Appendix IV.

‡ Graham. *Op. cit.*, p. 142.

William Penn paid two visits to Pennsylvania. He does not seem to have had great financial or administrative capacity. From 1682 to 1684 he resided in America. The site of the city of Philadelphia was laid out. There were many difficult questions to settle; the Constitution required alteration, and was made more democratic—power was given to the Assembly to introduce laws. The policy pursued by Penn towards the native Indians was a triumph of the Christian treatment of aborigines. The land was rebought from the Indians; all wrongs done to them were to be treated as though done to a white man, and the natives might settle anywhere they wished. Penn made a famous Treaty with the Indians—the only Treaty that was not sworn to, and that was always kept. So long as the Quakers retained control in Pennsylvania, no drop of Quaker blood was shed by the Indians. The colonists were unarmed, and no arms were needed by them, so long as the Quaker policy of trust and friendship was followed. One purpose of William Penn was “to reduce the savage nations by just and gentle manners to the love of civil society and the Christian religion.” The early settlers in the Colony were nearly all Friends, and many were Welshmen; also many came from Holland and Germany. By 1683 fifty ships had arrived and 4,000 immigrants.

In 1684 Penn had to return to England to settle the boundary question, and was away for fifteen years. James II was Penn's guardian, and Penn was for the first few years of James' reign the most powerful man at Court. He lived at Holland House, Kensington, and many oppressed people, besides

Quakers, asked for his intercession with the King. James II wanted toleration for Catholics, and William Penn wanted toleration for all Dissenters. Penn wrote: "There has been ruined since the late King's Restoration above 15,000 families, and more than 5,000 persons dead under bonds for matters of mere conscience to God." When one remembers that the population of England at that period was only five or six millions, one realizes the extent of this persecution. In 1686, 1,300 Quakers were released from prison; some had been in the foul, insanitary prisons for twelve or fifteen years. Penn wrote vigorously in defence of toleration, and published more books.

At the King's request, Penn went to see William, Prince of Orange, and find out if the future King of England would support full toleration, but the Prince of Orange knew that his claim to the throne must be supported by Anglicans, and he would not agree to a repeal of the Test Act.

The persecution of Dissenters was more the work of the Anglican Church, than of James II. In 1687, James issued the Declaration of Indulgence, and ordered the clergy to read it in their churches; the refusal of seven Bishops to do this act of Christian toleration, and their trial and acquittal, led finally to the Revolution of 1688.

William Penn continued his Quaker missionary labours, and his work for toleration. In 1693 his wife died. After many trials and vicissitudes, he returned to Pennsylvania in 1699, taking with him his family and his second wife Hannah. The voyage took nearly three months. William Penn and his family resided at Pennsbury Manor, thirty

miles from Philadelphia. Friends then began the great movement for the abolition of slavery in America. Penn signed a charter of Privileges, under which the colony lived until the Revolution and the founding of the United States: all who were Christians had full citizenship in Pennsylvania. The Assembly was made the only legislative body, and the Council the executive.

In 1701 Penn and his family returned to England. A proposal had been made in the House of Commons to annex all proprietary colonies to the Crown, and in 1703 Penn thought of selling Pennsylvania to Queen Anne, and for years he carried on negotiations with Ministers, but would not part with the Colony unless the Constitution and liberties of the colonists were guaranteed. Penn had trouble with his agents, was in great financial difficulties, and in 1708 owing to financial mismanagement and roguery of the agents, was sent to the Fleet prison as a debtor for eleven months.

His last years were spent in a beautiful home at Ruscombe, Berkshire. In 1718 he died, aged nearly seventy-four, and was buried in the peaceful graveyard at Jordan's, Buckinghamshire, where a simple headstone marks the grave of the great Quaker missionary, courtier, and colonizer, William Penn. "As a stout champion of the right of independent thought and speech," says the *Dictionary of National Biography*, "as the apostle of true religion, of justice, gentleness, sobriety, simplicity, and sweet reasonableness in an age of corrupt splendour, morose pietism, and general intolerance, Penn would be secure of a place among the Immortals, even though no flourishing

State of the American Union revered him as its founder."

The following "Essay towards the Present and Future Peace of Europe" was written by William Penn in 1693, when he was in retirement in London. It was written when Europe was suffering from a war of alliances, and when every European Monarch, with the exception of the King of England and the King of Poland, was an autocrat. William Penn's praise of the constitution of the United Provinces of Holland, under the Prince of Orange, is interesting, as we know that Penn several times visited Holland.

AN ESSAY TOWARDS THE PRESENT AND FUTURE PEACE OF EUROPE

BY WILLIAM PENN

BY THE ESTABLISHMENT OF AN EUROPEAN DIET,
PARLIAMENT, OR ESTATES

Beati Pacifici—Cedant arma togæ

TO THE READER,—I have undertaken a subject that I am very sensible requires one of more sufficiency than I am master of to treat it as, in truth, it deserves and the groaning state of Europe calls for ; but since bunglers may stumble upon the game as well as masters, though it belongs to the skilful to hunt and catch it, I hope this essay will not be charged upon me for a fault if it appear to be neither chimerical nor injurious, and may provoke abler pens to improve and perform the design with better judgment and success. I will say no more in excuse of myself for this undertaking but that it is the fruit

of my solicitous thoughts for the peace of Europe, and they must want charity as much as the world needs quiet to be offended with me for so pacific a proposal. Let them censure my management, so they prosecute the advantage of the design; for until the millenary doctrine be accomplished, there is nothing appears to me so beneficial an expedient to the peace and happiness of this quarter of the world.

I. OF PEACE AND ITS ADVANTAGES

He must not be a man but a statue of brass or stone whose bowels do not melt when he beholds the bloody tragedies of this war, in Hungary, Germany, Flanders, Ireland, and at sea, the mortality of sickly and languishing camps and navies, and the mighty prey the devouring winds and waves have made upon ships and men since '88. And as this, with reason ought to affect human nature, and deeply kindred, so there is something very moving that becomes prudent men to consider, and that is the vast charge that has accompanied that blood, and which makes no mean part of these tragedies; especially if they deliberate upon the uncertainty of the war, that they know not how or when it will end, and that the expense cannot be less, and the hazard is as great as before. So that in the contraries of peace we see the beauties and benefits of it; which under it, such is the unhappiness of mankind, we are too apt to nauseate, as the full stomach loathes the honeycomb; and like that unfortunate gentleman, that having a fine and a good woman to his wife, and searching his pleasure in forbidden and less agreeable company, said,

when reproached with his neglect of better enjoyments, that he could love his wife of all women if she were not his wife, though that increased his obligation to prefer her. It is a great mark of the corruption of our natures, and what ought to humble us extremely, and excite the exercise of our reason to a nobler and juster sense, that we cannot see the use and pleasure of our comforts but by the want of them. As if we could not taste the benefit of health but by the help of sickness; nor understand the satisfaction of fulness without the instruction of want; nor, finally, know the comfort of peace but by the smart and penance of the vices of war: and without dispute that is not the least reason that God is pleased to chastise us so frequently with it. What can we desire better than peace but the grace to use it? Peace preserves our possessions; we are in no danger of invasions: our trade is free and safe, and we rise and lie down without anxiety. The rich bring out their hoards, and employ the poor manufacturers; buildings and divers projections for profit and pleasure go on: it excites industry, which brings wealth, as that gives the means of charity and hospitality, not the lowest ornaments of a kingdom or commonwealth. But war, like the frost of '83, seizes all these comforts at once, and stops the civil channel of society. The rich draw in their stock, the poor turn soldiers, or thieves, or starve: no industry, no building, no manufactory, little hospitality or charity; but what the peace gave, the war devours. I need say no more upon this head, when advantages of peace, and mischiefs of war, are so many and sensible to every capacity under all governments, as either of them prevails. I shall

proceed to the next point. What is the best means of Peace? which will conduce much to open my way to what I have to propose.

II. OF THE MEANS OF PEACE, WHICH IS JUSTICE RATHER THAN WAR

As justice is a preserver, so it is a better procurer of peace than war. Though *Pax quæritur, bello* be a usual saying, *Peace is the end of war*, and as such it was taken up by O. C. for his motto; yet the use generally made of that expression shows us that, properly and truly speaking, men seek their wills by war rather than peace, and that as they will violate it to obtain them, so they will hardly be brought to think of peace unless their appetites be some way gratified. If we look over the stories of all times, we shall find the aggressors generally moved by ambition; the pride of conquest and greatness of dominion more than right. But as those leviathans appear rarely in the world, so I shall anon endeavour to make it evident they had never been able to devour the peace of the world, and ingross whole countries as they have done, if the proposal I have to make for the benefit of our present age had been then in practice. The advantage that justice has upon war is seen by the success of embassies, that so often prevent war by hearing the pleas and memorials of justice in the hands and mouths of the wronged party. Perhaps it may be in a good degree owing to reputation or poverty, or some particular interest or conveniency of princes and states, as much as justice; but it is certain that,

as war cannot in any sense be justified, but upon wrongs received and right, upon complaint refused; so the generality of wars have their rise from some such pretension. This is better seen and understood at home; for that which prevents a civil war in a nation is that which may prevent it abroad, viz. justice; and we see where that is notably obstructed, war is kindled between the magistrates and people in particular kingdoms and states; which, however it may be unlawful on the side of the people, we see never fails to follow, and ought to give the same caution to princes as if it were the right of the people to do it: Though I must needs say the remedy is almost ever worse than the disease: the aggressors seldom getting what they seek, or performing, if they prevail, what they promised: and the blood and poverty that usually attend the enterprise weigh more on earth, as well as in heaven, than what they lost or suffered, or what they get by endeavouring to mend their condition, comes to: which disappointment seems to be the voice of heaven and judgment of God against those violent attempts. But to return, I say, justice is the means of peace, betwixt the government and the people, and one man and company and another. It prevents strife, and at last ends it: for besides shame or fear to contend longer, he or they, being under government, are constrained to bound their desires and resentment with the satisfaction the law gives. Thus peace is maintained by justice, which is a fruit of government, as government is from society, and society from consent.

III. GOVERNMENT, ITS RISE AND END UNDER
ALL MODELS

Government is an expedient against confusion; a restraint upon all disorder; just weights and an even balance: that one may not injure another, nor himself, by intemperance.

This was at first without controversy patrimonial, and upon the death of the father or head of the family the eldest son or male of kin succeeded. But time breaking in upon this way of governing, as the world multiplied, it fell under other claims and forms; and is as hard to trace to its original as are the copies we have of the first writing of sacred or civil matters. It is certain the most natural and human is that of consent, for that binds freely (as I may say), when men hold their liberty by true obedience to rules of their own making. No man is judge in his own cause, which ends the confusion and blood of so many judges and executioners. For out of society every man is his own king, does what he lists at his own peril: but when he comes to incorporate himself, he submits that royalty to the conveniency of the whole, from whom he receives the returns of protection. So that he is not now his own judge nor avenger, neither is his antagonist, but the law, in indifferent hands between both. And if he be servant to others that before was free, he is also served of others that formerly owed him no obligation. Thus while we are not our own, every body is ours, and we get more than we lose, the safety of the society being the safety of the particulars that constitute it. So that while we seem to submit to, and hold all we have from society, it is by society that we keep what we have.

Government then is the prevention or cure of disorder, and the means of justice, as that is of peace: for this cause they have sessions, terms, assizes, and parliaments, to overrule men's passions and resentments, that they may not be judges in their own cause, nor punishers of their own wrongs, which, as it is very incident to men in their corrupt state, so, for that reason, they would observe no measure; nor on the other hand would any be easily reduced to their duty. Not that men know not what is right, their excesses, and wherein they are to blame, by no means; nothing is plainer to them: but so depraved is human nature that, without compulsion some way or other, too many would not readily be brought to do what they know is right and fit, or avoid what they are satisfied they should not do. Which brings me near to the point I have undertaken, and for the better understanding of which I have thus briefly treated of peace, justice, and government, as a necessary introduction, because the ways and methods by which peace is preserved in particular governments will help those readers most concerned in my proposal to conceive with what ease as well as advantage the peace of Europe might be procured and kept; which is the end designed by me, with all submission to those interested in this little treatise.

IV. OF A GENERAL PEACE, OR THE PEACE OF EUROPE, AND THE MEANS OF IT

In my first section, I showed the desirableness of peace; in my next, the truest means of it; to wit, justice not war. And in my last, that this justice

was the fruit of government, as government itself was the result of society which first came from a reasonable design in men of peace. Now if the sovereign princes of Europe, who represent that society, or independent state of men that was previous to the obligations of society, would, for the same reason that engaged men first into society, viz. love of peace and order, agree to meet by their stated deputies in a general diet, estates, or parliament, and there establish rules of justice for sovereign princes to observe one to another; and thus to meet yearly, or once in two or three years at farthest, or as they shall see cause, and to be styled, the Sovereign or Imperial Diet, Parliament, or State of Europe; before which sovereign assembly should be brought all differences depending between one sovereign and another that cannot be made up by private embassies before the sessions begin; and that if any of the sovereignties that constitute these imperial states shall refuse to submit their claim or pretensions to them, or to abide and perform the judgment thereof, and seek their remedy by arms, or delay their compliance beyond the time prefixed in their resolutions, all the other sovereignties, united as one strength, shall compel the submission and performance of the sentence, with damages to the suffering party, and charges to the sovereignties that obliged their submission. To be sure, Europe would quietly obtain the so much desired and needed peace to her harassed inhabitants; no sovereignty in Europe having the power and therefore cannot show the will to dispute the conclusion; and, consequently, peace would be procured and continued in Europe.

V. OF THE CAUSES OF DIFFERENCE, AND MOTIVES
TO VIOLATE PEACE

There appears to me but three things upon which peace is broken, viz. to keep, to recover, or to add. First, to keep what is one's right from the invasion of an enemy; in which I am purely defensive. Secondly, to recover, when I think myself strong enough, that which by violence I or my ancestors have lost by the arms of a stronger power; in which I am offensive. Or, lastly, to increase my dominion by the acquisition of my neighbour's countries, as I find them weak and myself strong. To gratify which passion there will never want some accident or other for a pretence: and knowing my own strength, I will be my own judge and carver. This last will find no room in the Imperial States: they are an unpassable limit to that ambition. But the other two may come as soon as they please and find the justice of the sovereign court. And considering how few there are of those sons of prey, and how early they shew themselves, it may be not once in an age or two, this expedition being established, the balance cannot well be broken.

VI. OF TITLES, UPON WHICH THOSE DIFFERENCES
MAY ARISE

But I easily foresee a question that may be answered in our way, and that is this: What is right? Or else we can never know what is wrong: It is very fit that this should be established. But that is fitter for the Sovereign States to resolve than me. And yet that I may lead a way to the matter, I say that title is either by a long and undoubted

succession, as the crowns of Spain, France, and England; or by election, as the crown of Poland and the Empire; or by marriage, as the family of the Stewarts came by England; the elector of Brandenburg to the Duchy of Cleves: and we, in ancient time, to divers places abroad; or by purchase, as hath been frequently done in Italy and Germany; or by conquest, as the Turk in Christendom, the Spaniards in Flanders, formerly mostly in the French hands, and the French in Burgundy, Normandy, Lorraine, French-County, etc. This last title is, morally speaking, only questionable. It has indeed obtained a place among the rolls of titles, but it was engrossed and recorded by the point of the sword and in bloody characters. What cannot be controlled or resisted must be submitted to; but all the world knows the date of the length of such empires, and that they expire with the power of the possessor to defend them. And yet there is a little allowed to conquest too, when it has the sanction of articles of peace to confirm it: though that hath not always extinguished the fire, but it lies, like embers and ashes, ready to kindle so soon as there is fit matter prepared for it. Nevertheless, when conquest has been confirmed by a treaty, and conclusion of peace, I must confess it is an adopted title; and if not so genuine and natural, yet being engrafted, it is fed by that which is the security of better titles, consent. There is but one thing more to be mentioned in this section, and that is from what time titles shall take their beginning, or how far back we may look to confirm or dispute them. It would be very bold and inexcusable in me to determine so tender a point, but be it more or less

time, as to the last general peace at Nimeguen, or to the commencing of this war, or to the time of the beginning of the treaty of peace, I must submit it to the great pretenders and masters in that affair. But something everybody must be willing to give or quit, that he may keep the rest, and by this establishment be for ever freed of the necessity of losing more.

VII. OF THE COMPOSITION OF THESE IMPERIAL STATES

The composition and proportion of this Sovereign Part, or Imperial State, does, at the first look, seem to carry with it no small difficulty what votes to allow for the inequality of the princes and States. But with submission to better judgments, I cannot think it invincible; for if it be possible to have an estimate of the yearly value of the several sovereign countries, whose delegates are to make up this august assembly, the determination of the number of persons or votes in the States of every sovereignty will not be impracticable. Now that England, France, Spain, the Empire, etc., may be pretty exactly estimated is so plain a case, by considering the revenue of lands, the exports and entries at the custom houses, the books of rates, and surveys that are in all governments, to proportion taxes for the support of them, that the least inclination to the peace of Europe will not stand or halt at this objection. I will, with pardon on all sides, give an instance far from exact; nor do I pretend to it, or offer it for an estimate; for I do it at random: only this, as wide as it is from the just proportion, will

give some aim to my judicious reader, what I would be at: Remembering I design not by any computation an estimate from the revenue of the prince, but the value of the territory, the whole being concerned as well as the prince. And a juster measure it is to go by, since one prince may have more revenue than another, who has much a richer country: though in the instance I am now about to make, the caution is not so necessary, because, as I said before, I pretend to no manner of exactness, but go wholly by guess, being but for example's sake. I suppose the Empire of Germany to send twelve; France, ten; Spain, ten; Italy, which comes to France, eight; England, six; Portugal, three; Sweedland, four; Denmark, three; Poland, four; Venice, three; the seven provinces, four; the thirteen cantons and little neighbouring sovereignties, two; dukedoms of Holstein and Courland, one; and if the Turks and Muscovites are taken in, as seems but fit and just, they will make ten apiece more. The whole makes ninety. A great presence when they represent the fourth, and now the best and wealthiest part of the known world; where religion and learning, civility and arts have their seat and empire. But it is not absolutely necessary there should be always so many persons to represent the larger sovereignties; for the votes may be given by one man of any sovereignty as well as by ten or twelve: though the fuller the assembly of States is, the more solemn, effectual, and free the debates will be, and the resolutions must needs come with greater authority. The place of their first session should be central as much as is possible, afterwards as they agree.

VIII. OF THE REGULATIONS OF THE IMPERIAL STATES
IN SESSION

To avoid quarrel for precedency, the room may be round, and have divers doors to come in and go out at, to prevent exceptions. If the whole number be cast in tens, each choosing one, they may preside by turns, to whom all speeches should be addressed, and who should collect the sense of the debates, and state the question for a vote, which, in my opinion, should be by the ballot after the prudent and commendable method of the Venetians: which, in a great degree, prevents the ill effects of corruption; because if any of the delegates of that high and mighty Estates could be so vile, false, and dishonourable as to be influenced by money, they have the advantage of taking their money that will give it them and of voting undiscovered to the interest of their principles and their own inclinations; as they that do understand the balloting box do very well know. A shrewd stratagem and an experimental remedy against corruption, at least corrupting: for who will give their money where they may so easily be cozened, and where it is two to one they will be so; for they that will take money in such cases will not stick to lie heartily to them that give it, rather than wrong their country, when they know their lie cannot be detected.

It seems to me that nothing in this Imperial Parliament should pass but by three-quarters of the whole, at least seven above the balance. I am sure it helps to prevent treachery, because if money could ever be a temptation in such a court,

it would take a great deal of money to weigh down the wrong scale. All complaints should be delivered in writing in the nature of memorials and journals kept by a proper person, in a trunk or chest, which should have as many differing locks as there are tens in the States. And if there were a clerk for each ten, and a pew or table for those clerks in the assembly; and at the end of every session one out of each ten were appointed to examine and compare the journals of those clerks, and then lock them up as I have before expressed, it would be clear and satisfactory. And each sovereignty if they please, as is but very fit, may have an exemplification, or copy of the said memorials, and the journals of proceedings upon them. The liberty and rules of speech, to be sure, they cannot fail in, who will be wisest and noblest of each sovereignty, for its own honour and safety. If any difference can arise between those that come from the same sovereignty that then one of the major number do give the balls of that sovereignty. I should think it extremely necessary that every sovereignty should be present under great penalties, and that none leave the session without leave, till all be finished; and that neutralities in debates should by no means be endured; for any such latitude will quickly open a way to unfair proceedings, and be followed by a train, both of seen and unseen inconveniences. I will say little of the language in which the session of the Sovereign Estates should be held, but to be sure it must be in Latin or French; the first would be very well for civilians, but the last most easy for men of quality.

IX. OF THE OBJECTIONS THAT MAY BE ADVANCED
AGAINST THE DESIGN

I will first give an answer to the objections that may be offered against my proposal: and in my next and last section I shall endeavour to show some of the manifold conveniences that would follow this European league of confederacy.

The first of them is this, that the strongest and richest sovereignty will never agree to it, and if it should, there would be danger of corruption more than of force one time or other. I answer to the first part, he is not stronger than all the rest, and for that reason you should promote this and compel him into it; especially before he be so, for then it will be too late to deal with such a one. To the last part of the objection, I say that the way is as open now as then; and it may be the number fewer, and as easily come at. However, if men of sense and honour and substance are chosen, they will either scorn the baseness, or have wherewith to pay for the knavery: at least they may be watched so that one may be a check upon the other, and all prudently limited by the sovereignty they represent. In all great points, especially before a final resolve, they may be obliged to transmit to their principles the merits of such important cases depending, and receive the last instructions: which may be done in four and twenty days at the most, as the place of their session may be appointed.

The second is that it will endanger an effeminacy by such a disuse of the trade of soldiery; that if there should be any need for it, upon any occasion, we should be at a loss as they were in Holland in '72.

There can be no danger of effeminacy, because each sovereignty may introduce as temperate or severe a discipline in the education of youth as they please, by low living and due labour. Instruct them in mechanical knowledge and in natural philosophy by operation, which is the honour of the German nobility. This would make them men: neither women nor lions: for soldiers are the other extreme to effeminacy. But the knowledge of nature, and the useful as well as agreeable operations of art, give men an understanding of themselves, of the world they were born into, how to be useful and serviceable, both to themselves and others: and how to save and help, not injure or destroy. The knowledge of government in general; the particular constitutions of Europe; and above all of his own country, are very recommending accomplishments. This fits him for the parliament and council at home, and the courts of princes and services in the Imperial States abroad. At least, he is a good commonwealth's man, and can be useful to the public or retire as there may be occasion.

To the other part of the objection, of being at a loss for soldiery as they were in Holland in '72. The proposal answers for itself. One has war no more than the other; and will be as much to seek upon occasion. Nor is it to be thought that any will keep up such an army after such an Empire is on foot, which may hazard the safety of the rest. However, if it be seen requisite, the question may be asked, by order of the Sovereign States, why such a one either raises or keeps up a formidable body of troops, and be obliged forthwith to reform or reduce them; lest any one, by keeping up a great

body of troops, should surprise a neighbour. But a small force in every other sovereignty, as it is capable or accustomed to maintain, will certainly prevent that danger, and vanquish any such fear.

The third objection is, that there will be great want of employment for younger brothers of families; and that the poor must either turn soldiers or thieves. I have answered that in my return to the second objection. We shall have the more merchants and husbandmen, or ingenious naturalists, if the government be but anything solicitous of the education of their youth: which, next to the present and immediate happiness of any country, ought of all things to be the care and skill of the government. For such as the youth of any country is bred, such is the next generation, and the government in good or bad hands.

I am come now to the last objection, that sovereign princes and States will hereby become not sovereign: a thing they will never endure. But this also, under correction, is a mistake, for they remain as sovereign at home as ever they were. Neither their power over their people, nor the usual revenue they pay them, is diminished: it may be the war establishment may be reduced, which will indeed of course follow, or be better employed to the advantage of the public. So that the sovereignties are as they were, for none of them have now any sovereignty over one another: And if this be called a lessening of their power, it must be only because the great fish can no longer eat up the little ones, and that each sovereignty is equally defended from injuries, and disabled from committing them: *Cedant Army Togæ* is a glorious sentence; the

voice of the dove; the olive branch of peace. A blessing so great, that when it pleases God to chastise us severely for our sins, it is with the rod of war that for the most part He whips us: and experience tells us none leaves deeper marks behind it.

X. OF THE REAL BENEFITS THAT FLOW FROM THIS PROPOSAL ABOUT PEACE

I am come to my last section, in which I shall enumerate some of those many *real benefits* that flow from this proposal for the present and future peace of Europe.

Let it not, I pray, be the least that it prevents the spilling of so much human and Christian blood. For a thing so offensive to God, and terrible and afflicting to men, as that has ever been, must recommend our expedient beyond all objections. For what can a man give in exchange for his life as well as soul? And though the chiefest in government are seldom personally exposed, yet it is a duty incumbent upon them to be tender of the lives of their people; since without all doubt, they are accountable to God for the blood that is spilt in their service. So that besides the loss of so many lives, of importance to any government, both for labour and propagation, the cries of so many widows, parents, and fatherless are prevented, that cannot be very pleasant in the ears of any government, and is the natural consequence of war in all government.

There is another *manifest benefit* which redounds to Christendom by this peaceable expedient, the reputation of Christianity will in some degree be

recovered in the sight of infidels; which, by the many bloody and unjust wars of Christians, not only with them, but one with another, hath been greatly impaired. For, to the scandal of that holy profession, Christians, that glory in their Saviour's name, have long devoted the credit and dignity of it to their worldly passions, as often as they have been excited by the impulses of ambition or revenge. They have not always been in the right: nor has right been the reason of war: and not only Christians against Christians, but the same sort of Christians have imbued their hands in one another's blood; invoking and interesting all they could the good and merciful God to prosper their arms to their brethren's destruction: yet their Saviour has told them that He came to save, and not to destroy the lives of men: to give and plant peace among men: and if in any sense He may be said to send war, it is the holy war indeed; for it is to send against the devil, and not the persons of men. Of all His titles this seems the most glorious as well as comfortable for us, that He is the Prince of Peace. It is His nature, His office, His work, and the end and excellent blessings of His coming, who is both the maker and preserver of our peace with God. And it is very remarkable, that in all the New Testament He is but once called lion, but frequently the Lamb of God; to denote to us His gentle, meek, and harmless nature, and that those who desire to be the disciples of His cross and kingdom, for they are inseparable, must be like Him, as St. Paul, St. Peter, and St. John tell us. Nor is it said the lamb shall lie down with the lion, but the lion shall lie down with the lamb. That is, war shall yield to

peace, and the soldier turn hermit. To be sure, Christians should not be apt to strive, nor swift to anger against anybody, and less with one another, and least of all for the uncertain and fading enjoyments of this lower world: and no quality is exempted from this doctrine. Here is a wide field for the reverend clergy of Europe to act their part in, who have so much the possession of princes and people too. May they recommend and labour this pacific means I offer, which will end blood, if not strife; and then reason, upon free debate, will be judge, and not the sword. So that both right and peace, which are the desire and fruit of wise governments, and the choice blessings of any country, seem to succeed the establishment of this proposal.

The *third benefit* is that it saves money, both to the prince and peoples; and thereby prevents those grudgings and misunderstandings between them that are wont to follow the devouring expenses of war; and enable both to perform public acts for learning, charity, manufactures, etc., the virtues of government and ornaments of countries. Nor is this all the advantage that follows to sovereignties, upon this head of money and good husbandry, to whose service and happiness this short discourse is dedicated; for it saves the great expense that frequent and splendid embassies require, and all their appendages of spies and intelligence, which in the most prudent governments have devoured mighty sums of money; and that not without some immoral practices also: such as corrupting of servants to betray their masters, by revealing their secrets; not to be defended by Christian or old Roman virtues. But here where there is nothing

to fear there is little to know, and therefore the purchase is either cheap, or may be wholly spared. I might mention pensions to the widows and orphans of such as die in wars, and of those that have been disabled in them; which rise high in the revenues of some countries.

Our *fourth advantage* is that the towns, cities, and countries that might be laid waste by the rage of war are thereby preserved. A blessing that would be very well understood in Flanders and Hungary, and indeed upon all the borders of sovereignties, which are almost ever the stages of spoil and misery; of which the stories of England and Scotland do sufficiently inform us without looking over the water.

The *fifth benefit* of this peace is the ease and security of travel and traffic: a happiness never understood since the Roman Empire has been broken into so many sovereignties. But we may easily conceive the comfort and advantage of travelling through the governments of Europe by a pass from any of the sovereignties of it, which this league and state of peace will naturally make authentic. They that have travelled Germany, where is so great a number of sovereignties, know the want and value of this privilege, by the many stops and examinations they meet with by the way: but especially such as have made the great tour of Europe. This leads to the benefit of a universal monarchy, without the inconveniences that attend it: for when the whole was one empire, though these advantages were enjoyed, yet the several provinces, that now make the kingdoms and states of Europe, were under some hardship from the great sums of money

remitted to the imperial seat, and the ambition and avarice of their several proconsuls and governors, and the great taxes they paid to the numerous legions of soldiers, that they maintained for their own subjection, who were not wont to entertain that concern for them (being uncertainly there, and having their fortunes to make) which their respective and proper sovereigns have always shown for them. So that to be ruled by native princes or States, with the advantage of that peace and security that can only render a universal monarchy desirable, is peculiar to our proposal, and for that reason it is to be preferred.

Another advantage is the great security it will be to Christians against the inroads of the Turk, in their most prosperous fortune. For it had been impossible for the Porte to have prevailed so often, and so far from Christendom, but by the carelessness, or wilful connivance, if not aid, of some Christian princes. And for the same reason, why no Christian monarch will adventure to oppose or break such a union, the Grand Seignior will find himself obliged to concur, for the security of what he holds in Europe: where with all his strength he will feel it an over-match for him. The prayers, tears, treason, blood, and devastation that war has cost in Christendom, for these two last ages especially, must add to the credit of our proposal, and the blessing of the peace thereby humbly recommended.

The seventh advantage of a European Imperial Diet, Parliament, or Estates is that it will beget and increase personal friendship between princes and States, which tend to the rooting up of wars,

and planting peace in a deep and fruitful soil. For princes have the curiosity of seeing the courts and cities of other countries, as well as private men, if they could as securely and familiarly gratify their inclinations. It were a great motive to the tranquillity of the world that they could freely converse face to face, and personally and reciprocally give and receive marks of civility and kindness. A hospitality that leaves these impressions behind it will hardly let ordinary matters prevail to mistake or quarrel one another. Their emulation would be in the instances of goodness, laws, customs, learning, arts, buildings; and in particular those that relate to charity, the true glory of some governments, where beggars are as much a rarity as in other places it would be to see none.

Nor is this all the benefit that would come by this freedom and interview of princes. For natural affection would hereby be preserved, which we see little better than lost, from the time their children, or sisters, are married into other courts. For the present state of insincerity of princes forbid them the enjoyment of that natural comfort which is possessed by private families: insomuch that from the time a daughter or sister is married to another crown, nature is submitted to interest, and that, for the most part, grounded not upon solid or commendable foundations, but ambition or unjust avarice. I say this freedom that is the effect of our pacific proposal restores nature to her just right and dignity in the families of princes, and them to the comfort she brings, wherever she is preserved in her proper station. Here daughters may personally entreat their parents, and sisters their brothers,

for a good understanding between them and their husbands, where nature not crushed by absence and sinister interests, but acting by the sight and lively entreaties of such near relations, is almost sure to prevail. They cannot easily resist the most affectionate addresses of such powerful solicitors as their children and grandchildren, and their sisters, nephews, and nieces; and so backward from children to parents, and sisters to brothers, to keep up and preserve their own families, by a good understanding between their husbands and them.

To conclude this section, there is yet *another manifest privilege* that follows this intercourse and good understanding, which methinks would be very moving with princes, viz. that hereby they may choose wives for themselves such as they love, and not by proxy merely to gratify interest; an ignoble motive; and that rarely begets or continues that kindness which ought to be between men and their wives. A satisfaction very few princes ever knew, and to which all other pleasures ought to resign. Which has often obliged me to think that the advantage of private men upon princes, by family comforts, is a sufficient balance against their greater power and glory: the one being more in imagination than real; and often unlawful; but the other natural, solid, and commendable. Besides, it is certain, parents loving well before they are married, which very rarely happens, to princes, has kind and generous influences upon their offspring: which with their example makes them better husbands and wives in their turn. This in great measure prevents unlawful love, and the mischiefs of those intrigues that are wont to follow them.

What hatred, feuds, wars, and desolations have in divers ages flown from unkindness between princes and their wives? What unnatural divisions among their children, and ruin to their families, if not loss of their countries by it? Behold an expedient to prevent it, a natural and efficacious one. Happy to princes and happy to their people also. For nature being renewed and strengthened by these mutual pledges and endearments I have mentioned will leave those soft and kind impressions behind in the minds of princes that court and country will very easily discern and feel the good effects of: especially if they have the wisdom to show that they interest themselves in the prosperity of the children and relations of their princes. For it does not only incline them to be good, but engage those relations to become powerful suitors to their princes for them if any misunderstanding should unhappily arise between them and their sovereigns. Thus ends this section. It now rests to conclude the discourse in which, if I have not pleased my reader or answered his expectation, it is some comfort to me I meant well, and have cost him but little money and time; and brevity is an excuse, if not a virtue, where the subject is not agreeable, or is but ill prosecuted.

THE CONCLUSION

I will conclude this my proposal of a European Sovereign, or Imperial Diet, Parliament, or Estates with that which I have touched upon before, and which falls under the notice of every one concerned, by coming home to their particular and respective

experience within their own sovereignties. That by the same rules of justice and prudence by which parents and masters govern their families, and magistrates their cities, and estates their republics, and princes and kings their principalities and kingdoms, Europe may obtain and preserve peace among her sovereignties. For wars are the duels of princes; and as government in kingdoms and States prevents men being judges and executioners for themselves, over-rules private passions as to injuries or revenge, and subjects the great as well as the small to the rule of justice that power might not vanquish or oppress right nor one neighbour act an independency and sovereignty upon another, while they have resigned that original claim to the benefit and comfort of society; so this being soberly weighed in the whole and parts of it, it will not be hard to conceive or frame, nor yet to execute, the design I have here proposed.

And for the better understanding and perfecting of the idea I here present to the sovereign princes and estates of Europe for the safety and tranquillity of it, I must recommend to their perusals Sir William Temple's account of the United Provinces; which is an instance and answer upon practice to all the objections that can be advanced against the practicability of my proposal: nay, it is an experiment that not only comes to our case, but exceeds the difficulties that can render its accomplishment disputable. For there we shall find three degrees of sovereignties to make up every sovereignty in the general States. I will reckon them backwards. First, the States general themselves; then the immediate sovereignties that constitute them, which are those

of the provinces, answerable to the sovereignties of Europe, that by their deputies are to compose the European diet, parliament, or estates in our proposal; and then there are the several cities of each province that are so many independent or distinct sovereignties, which compose those of the provinces as those of the provinces do compose the States general at The Hague.

But I confess I have the passion to wish heartily that the honour of proposing and effecting so great and good a design might be owing to England, of all the countries in Europe, as something of the nature of our expedient was, in design and preparation, to the wisdom, justice, and valour of Henry IV of France, whose superior qualities raising his character above those of his ancestors or contemporaries deservedly gave him the style of Henry the Great. For he was upon obliging the princes and estates of Europe to a political balance when the Spanish faction for that reason contrived and accomplished his murder by the hands of Ravilliac. I will not then fear to be censured for proposing an expedient for the present and future peace of Europe when it was not only the design but glory of one of the greatest princes that ever reigned in it; and is found practicable in the constitution of one of the wisest and powerfulest States of it. So that to conclude, I have very little to answer for in all this affair; because if it succeed I have so little to deserve. For this great king's example tells us it is fit to be done; and Sir William Temple's history shows us by a surpassing instance that it may be done; and Europe, by her incomparable miseries, makes it now necessary to be done: that my share is only thinking

of it at this juncture, and putting it into the common light for the peace and prosperity of Europe.

In 1710, John Bellers, a Gloucester Quaker, published a plan for an annual European "Congress, Senate, Dyet, or Parliament." He proposed that Europe should be divided into 100 Provinces, each to send one member to Parliament, and each Province to supply 1,000 men, money, or ships for an international force; armaments were to be reduced. Bellers based his plan on a study of Henry the Fourth's scheme and William Penn's. The Union was to be called "The Christian Commonwealth."

CHAPTER VI

SAINT PIERRE'S PERPETUAL PEACE

CHARLES IRÉNÉE CASTEL DE SAINT PIERRE, son of the Marquis de Saint Pierre, was born in 1658, at the family château near Cherbourg. He studied at Caen, and there formed a great friendship with a scientist, named Varignon. Saint Pierre wished to become a monk, but gave up the idea, and afterwards remarked that this "attack of the small-pox of the spirit" had not left any marks. On the death of his father, he became possessor of a moderate income, and accompanied by Varignon, went to Paris to continue their scientific and literary studies. As Varignon was poor, Saint Pierre generously gave him a yearly income, so that in their friendship he might feel quite independent, and could either go or stay. The two friends maintained a pleasant companionship in their studies, in a small Parisian home.

Saint Pierre arrived in Paris in 1686, when Louis XIV had committed the crime of the Revocation of the Edict of Nantes, which was followed by atrocious persecutions of Protestants, and the flight of many thousands of these industrious unhappy people to other countries. From 1672 to the Treaty of Utrecht, in 1713, France was almost continuously at war. Saint Pierre was in Paris during the War of the Spanish Succession, and he saw the melan-

choly end of the old King's reign—the absolute monarch, who had said “I am the State!” and whose imperial ambitions almost ruined France, and raised against him a coalition of European powers. Saint Pierre saw the misery of the people under their heavy burden of taxation; he watched a government by incapable courtiers, debased by the daily offering of the food of flattery to the aged absolutist—a poisonous food that had become a necessity of life for the Catholic monarch. And Saint Pierre saw the Royal children dying, and Louis XIV leaving his crown to a feeble great grandson, aged five.

This spectacle was one of absorbing interest to Saint Pierre. In order thoroughly to explore the mysteries of government, he followed the usual mode of the elegant Parisian world, and went to the Salons of the Marquise de Lambert, and Madame de la Fayette. The Marquise de Lambert was a wealthy widow, of great social influence: it was said that she had made more than half the Academicians. By the advice and help of the charming Marquise, Saint Pierre, in 1695, was elected one of the forty Immortals. He also bought the post of chaplain to the Duchess of Orleans, sister-in-law of the King, and mother of the Duke of Orleans who became Regent during the minority of Louis XV. She was a German Princess, and a cousin of George I of Hanover and England. The chaplaincy gave Saint Pierre a place at Court. From Versailles he wrote to the Marquise de Lambert: “The pageant here is very fine for a thinker, and more interesting than any other place in the world. In taking a post at Court, I have only bought a small box, in order to see at close quarters those actors who unconsciously

play important parts on the world's stage. I see, at my ease, the leading actors, and observe them better because I don't act myself. I can go anywhere and no one takes any notice of me. . . . Here I collect materials for erecting, some day, a building which may be useful. I see our government at its source, and I already see that it would be easy to make it more honourable for the King, easier for the ministers, and more useful for the people." Saint Pierre was a favourite with women, who admired his courtly, sympathetic manners, his ideal enthusiasms, and unselfish devotion to the welfare of humanity. To him, we may feel sure, were irresistibly drawn the finer spirits among the courtiers of Louis XIV, and the Salons of Paris.

As soon as Saint Pierre was settled at Court, he joined the party in opposition to the government. This party included the Dukes surrounding the Duke of Burgundy (grandson of Louis) with Fénelon, the Duke's tutor, as their chief, and one of its members was the Duke de Saint Simon, who in his "Mémoires," gives the most striking pictures of court life at this period. The ducal party had made plans for reorganizing France as soon as Louis died; they wished to end despotic government, and their programme included plans for reorganizing the Provinces, the law, and the army, and for reducing taxation. They aimed, in fact, at decentralization of government, and if their programme had been carried out, the accumulating miseries of the century might have been considerably lessened. But their hopes rested on the Duke of Burgundy, who died in 1712; the Duke of Berry died soon after, and the heir to the crown was then an infant.

Without royal support, the party considered they were powerless. And their leader, Fénelon, now Archbishop of Cambrai, had been banished from the Court for his book on mysticism—"Maxims of the Saints." He was exiled to his diocese and only once allowed to leave it. But he corresponded with the Duke of Burgundy. He saw that the Bourbons were doomed.

One of the French plenipotentiaries at the Treaty of Utrecht, which ended the wars of Louis XIV, was the Abbé de Polignac, who, being well aware of Saint Pierre's opinions, took him as Secretary to Utrecht. There, indeed, Saint Pierre had the best possible opportunity for studying the ideas of Kings, Princes and diplomatists, though only Envoys were present at the meeting. Many complicated interests had to be decided at Utrecht. Saint Pierre spent more than a year in Holland, and found time, during the protracted negotiations between the various representatives of conflicting State interests, also to study the political and commercial organization of the prosperous and well-managed United Provinces.

The Grand Alliance, which included England, the Emperor of Germany (the Holy Roman Empire), Holland, the King of Prussia, the Elector of Hanover, the Elector Palatine, the Kings of Denmark and Portugal, and some smaller Princes, had fought to prevent Louis XIV from uniting the crowns of France and of Spain. The Elector of Brandenburg, having married the daughter of the demented Duke of Prussia, gained this coveted possession in 1618; in 1701, the Elector Frederick had been crowned at Königsberg as King Frederick I of Prussia,

and the new-comer to the Family of Monarchs was extremely anxious that the Treaty of Utrecht should recognize his new title as King. His wish was granted by France. England had subsidized him to enable him to join the Grand Alliance, and to fight Louis.

All the States were tired of the war, but a compact had been entered into by the Grand Alliance that no State would make a separate peace. Nevertheless, secret negotiations had been going on for some time between England and France. Matthew Prior, the poet, who had been at The Hague Conference in 1690, and had also been secretary to the British plenipotentiaries at the Treaty of Ryswick in 1697, and was, therefore, well versed in the intricacies of European politics, was sent by Bolingbroke and the Tory Ministry to France, to conduct secret negotiations with the French Secretary of State. On Prior's return to London, with two duly accredited French envoys, secret preliminaries were signed at Prior's house, at Westminster, in September, 1711. This fact was unknown to Marlborough, who was conducting his brilliant campaign, and hoped soon to take Paris, with the help of the Allies, and then to dictate a peace to Louis: it was also unknown to the other Allies, and so the compact was broken. There was no Temple of *Fides* in London in the reign of Queen Anne!

The Conference met at Utrecht in January, 1712, and the Treaty was signed on April 11, 1713. But the new Emperor refused to sign because his predecessor had not agreed to, or even been told about the secret preliminaries. It is true that this Treaty (it was really a number of treaties between different

monarchs) secured the Protestant succession to the English throne, and confirmed England's possession of Gibraltar, Minorca, Newfoundland, and parts of Canada, but by the Assiento Treaty with Spain it also provided for England's exclusive right to import negro African slaves, of both sexes and all ages, into Spanish America.* One of the English plenipotentiaries who signed the Assiento Treaty was the Bishop of Bristol. It is encouraging to think that if Aristotle had suddenly appeared in the quaint old town of Utrecht, however difficult he and the Bishop of Bristol might have found it to agree about the Athanasian creed, they would, at least, have been able to congratulate each other ceremoniously on their unanimity with regard to the advantages of slavery in the eighteenth century after Christ—of slavery for negroes.

In his *Life of Prior*, Samuel Johnson remarks about the Treaty of Utrecht: "The Ministers of the different potentates conferred and conferred, but the peace advanced so slowly that speedier methods were found necessary, and Bolingbroke was sent to Paris to adjust differences with less formality." Prior, also, was again sent to Paris, to help Bolingbroke, and was appointed envoy. During his various visits to Paris we may suppose that Prior met Saint Pierre. It was not kind of Bolingbroke, the brilliant orator, to write to Prior: "Dear Matt, hide the nakedness of thy country, and give the best turn thy fertile brain will furnish thee with to the blunders of thy countrymen, who are not much better politicians than the French are poets." But

* The results of the Assiento Treaty were referred to in the first draft of the American Declaration of Independence, by Thomas Jefferson. *Autobiography*, p. 39.

if Matt Prior showed this letter from the Alcibiades of the period to Saint Pierre, the worthy Abbé would only have laughed gaily, for he, too, was disrespectful to Corneille, Racine, and Molière.

The secret negotiations in Prior's London house became, before long, all too well known to the angry British public. Soon after George I arrived in London, the new Whig Parliament impeached most of the Tory Ministers who had arranged the negotiations, and persuaded Queen Anne to ratify the Treaty. Queen Anne was a Stuart: she was ruled by priests and women. Horace Walpole says she would have been "an appropriate wife for a Tory country clergyman." She had not Queen Elizabeth's masterful intellect. Yet the Tories said they had obeyed her instructions! There were strong suspicions of Jacobite intrigues. The public indignation grew stronger. For the Treaty gave the crown of Spain to the Bourbons, and Marlborough's victories were to prevent this very crown being secured to the Bourbon family.

The Earl of Oxford was thrown into prison. The Bishop of Bristol, who had become Bishop of London, escaped impeachment: a defender of his in the House of Commons said that the "good and pious prelate had only been a cypher, and seemed to have been put at the head of that negotiation only to palliate the iniquity of it under the sacredness of his character," and so the world ought to be convinced that "the Church was not in danger." Bolingbroke, leaving "honest Matt Prior" to be imprisoned, fled to France, became the Earl of Bolingbroke at the Court of the Stuarts, thus confirming the suspicions of Jacobite

intrigues, and married a niece of Madame de Maintenon. In France the people were glad to have the war ended, and there was no Parliament with power to impeach Ministers, had they wished to do so.

Of this remarkable Treaty, Justin McCarthy writes :—

“ There does not seem the slightest reason to suppose that the diplomatists at Utrecht ever thought of asking themselves whether this or that proposed arrangement would be likely to obtain any hold over the populations of the States to which it was to apply. There was, for instance, no other idea with regard to Italy than the idea that it was a country to be divided up amongst various native or foreign rulers, a part given to reward this one and a part given to buy over or to buy off that other. It was no more thought likely that the populations of these various allotments might raise any objection to the new arrangements than it would be thought likely now that the cattle and sheep on a farm about to be sold would have any reason or any inclination to object to the occupancy of the new purchaser.”*

During the arranging of these matters at Utrecht, Saint Pierre would see clearly the need for a European Senate or Council to make impossible the necessity for such bargaining. Also he would find patience a valuable friend, and see the vast importance, when diplomats meet, of questions of precedence, and formalities of many kinds. In his “ Project for a Perpetual Peace ” he gives instructions about precedence at the European Senate, and says that “ if any Senator is found to be opposed to Peace and Tranquillity, the Senate may by two-thirds of the voices declare him incapable to exercise the functions, and order that the Prince be desired by the Union to nominate another, and from *that very day* he shall be excluded from the Assemblies.” Now at Utrecht there had been a quarrel between

* “ Reign of Queen Anne,” p. 392.

some of the footmen, and the obstinacy about this matter (which was merely a question of precedence) on the part of one of the French Plenipotentiaries, nearly broke up the Conference.

It will be observed how largely Saint Pierre's Project is concerned with making European monarchs secure on their thrones. At that time it was the most urgent matter. The Treaty of Utrecht ended a dynastic war, and within thirty years began another war of the same species—the war of the Austrian Succession.

It was during his year's stay at Utrecht that Saint Pierre published anonymously his "Project for a Perpetual Peace," and he had worked out the plan as early as 1711.* Utrecht was an opportunity not to be missed for spreading his ideas. No doubt each member of the Conference received copies of the volumes and carried them home to study at leisure. So Saint Pierre's plan became widely known.† It was criticized by D'argenson and by many others. Frederick the Great, writing about it to Voltaire, declared: "The thing is very practicable; it only needs, in order to succeed, the consent of Europe and several similar bagatelles." (An interesting criticism of the Project by Rousseau will be found in Chapter VII.) Another celebrated Frenchman, Comte, wrote to M. Valat, in 1818:—

"The fact is, the idea of the worthy Abbé was in itself good, but it erred by the false combination by means of which he wished to carry it out, for he proposed a coalition

* In 1716 it was published in Paris with the author's name, and the plan was, in some respects, altered. In this later edition, the Turks were excluded from the League.

† Lessing wrote: "The whole world knows it."—Brief 5 in Lessing's Werke.

of Kings—something like what we to-day call the Holy Alliance—to maintain peace. He might as well have proposed that wolves should guard the sheep. Royalty, since its origin, has always been essentially a military institution, and therefore warlike; it had retained this character when the worthy Abbé wrote; it only began to lose it in England after the revolution of 1688, and not completely even then, and in France by our true revolution. It is only now, therefore, that it becomes possible to establish a lasting peace, because the Kings will not exclusively control it, for the people have a share in the supreme control of the State, and soon, by the power of public opinion, enlightened by the press and exercised by Parliaments, the people will actually govern. Therefore it is Kings, and not the people, who are interested in and wish to make war.”*

On Saint Pierre's return from Holland to Paris, he was greeted by many witty sarcasms on his Project. Leibniz wrote: “I remember an inscription in a cemetery—*Pax Perpetua*.” So important is a title! But Saint Pierre had copied the word “*perpetual*” from the Treaty of Utrecht. The treaty signed between England and Spain narrates: “That there be a Christian Universal Peace, and a *perpetual* and true friendship between the most Serene and most Mighty Princess Anne, Queen of Great Britain, and the most Serene and most Mighty Prince Philip the 5th, Catholic King of Spain, and their heirs and successors, etc.” And the Treaty of Aix-la-Chapelle, signed in 1748, ending the next dynastic war, was called “The Definitive Treaty of Christian, Universal, and Perpetual Peace and Union.” So it is to be supposed that the title of St. Pierre's “Project of Perpetual Peace” did not appear so novel and mirth provoking to princes and diplomats, as it did to the idle, chattering Salons of Paris.

Saint Pierre was gifted with persistency and

* “Lettres à M. Valat,” p. 73.

indomitable courage: he disregarded the sarcasms, and to the end of his life he continued to call the attention of the diplomatic world to his Project. He had observed the difference between prosperous Holland and the wretched state of France, as a result of absolute government and imperial ambitions in his native country, and he worked diligently and unceasingly, thinking out schemes for the salvation of France.

After reigning seventy-two years, Louis XIV died in 1715, and was succeeded by his great-grandson, a feeble child five years old. Saint Simon said of Louis XIV that "Europe had never seen so long a reign, nor France a King so old." And Thackeray remarked: "A grander monarch, or a more miserable, starved wretch than the peasant his subject, you cannot look on." Saint Simon proposed an edict announcing national bankruptcy: he said that "no greater service could be rendered to the State"; it would save the Kings of France from "the consequences of their own passions, and of the want of those enlightened views which are not always inherited with the sceptre."* The Duke of Orleans became Regent, being also the next heir to the crown of France.

In 1716, Saint Pierre published a Treatise on Taxation, and in 1718 appeared his "Discours sur la Polysynodie"—a plan for governing France by elected Councils. The Duke of Orleans, who had been in England, had some thoughts of copying English institutions; he had liberal opinions, was not a devotee of religious dogma, and he read

* "Memoirs of Saint-Simon" (trans. by Arkwright), vol. 5, p. 176.

Rabelais in Church.* He instituted seven Councils, for managing ecclesiastical, foreign, naval, internal, and commercial and financial affairs, and for war. This was an advance on the absolute system of government under Louis XIV. But there was much opposition to the Regent's nominated Councils: the people did not understand division of Government. When, then, St. Pierre in his "Polysynodie" put forward the revolutionary proposal that the Councils should be elected, the Regent was offended. Further, in this treatise St. Pierre had adversely criticized the administration of Louis XIV, and refused to call him Louis the Great. The Academy became excited and indignant. Since the Academy's inauguration its chief duty had been to flatter Louis XIV by every known mythological, historical, and linguistic device. When a new member was elected, it was his duty to give an oration, praising Louis in the most carefully polished sentences. Yet now a new member of their eclectic Society refused even to call their royal patron "*Louis the Great*"! The Regent referred Saint Pierre's "Polysynodie" to the Academy, and without allowing the erring author any chance to defend himself, the august Assembly expelled the venerable Abbé from the sacred circle in the Temple of Literary Art—from the circle that worshipped, not the highest Beauty, nor yet Truth, but Style. And Saint Pierre was never readmitted to the French Academy. Long after his death, D'Alembert was permitted to give a funeral oration.

Even in the matter of style, Saint Pierre was a

* Saint-Simon observes that "his weakness was to imagine himself like Henry IV." *Op. cit.*, p. 123.

decided rebel. He was too generous in his flow of language. He was convinced that repetition is the true art of propaganda—the best and only way of spreading one's ideas. So he was tedious in his writings. In rebuking Matthew Prior for tediousness, Dr. Johnson wrote: "Other faults are censured and forgotten, but tediousness propagates itself." And certainly in Saint Pierre's twenty or thirty volumes, published in Amsterdam in 1738-40, he is so heedless of academical polish and clarity that one cannot be surprised that his books have been forgotten. The gay world of Salons and sedan-chairs, mercifully ignorant of trams, trains, telephones, and telegrams, had, indeed, leisure to read volume after volume of *Clarissa Harlowe*, but busy politicians had no time to find the diamonds that were lost in the maze of words in Saint Pierre's *Works*. Had he been gifted with Fénelon's wit, melodious art, and clearness, his "Project for a Perpetual Peace" might have been one of the famous books of the world—as "Télémaque," which was a political novel with a purpose, became famous.

Saint Simon says that Saint Pierre's expulsion from the Academy made "much noise in Paris." But more than the punishment of the disloyal author was concerned in the affair: it was meant as a threat to the Regent's new Councils. Saint Pierre was expelled in May, 1718, and in September of the same year the new Councils were suppressed, and the Regent returned to the old, bad system, tempered by occasional meetings of the almost powerless *Parlements*, which were practically law courts.

Saint Pierre's rebellion was not without peril

to his own safety. Probably it was only the fact that he had powerful friends at Court that saved him from further persecution, and even from the Bastille. For soon after the death of Louis XIV, Voltaire was wrongly charged with having written a libel on the dead absolutist, and, without any proof or trial, he was thrown into the Bastille for more than twelve months, and was then exiled. Vauban, one of Louis' most successful generals, in 1707, published a treatise on taxation, advocating a simpler and juster system; the book was condemned by royal edict, and the shock killed Vauban. In the same year Boisguilbert was exiled, and his book suppressed, because it found fault with the economic state of France. So Saint Pierre, one of the Forty Immortals, was guilty of criminal blasphemy in his "Polysynodie."

Probably a weaker man would have fled from Paris at this time — as Bolingbroke fled from his impending impeachment. But Saint Pierre remained quietly in Paris, undeterred, and went on formulating schemes for the betterment of government and the amelioration of the lot of the suffering people. He devised and published (at Amsterdam—not at Paris) plans for reducing taxation, for starting a sinking fund for the enormous public debt, and for taking a census of the country (there were no statistics of population, exports or imports, agriculture, etc.). He demanded uniform laws for France, and wrote against hereditary titles and idle Dukes. He proposed an international navy to police the Mediterranean, which was then infested by pirates. He suggested a scheme for securing the election of the best educated men to Government

posts. His brain worked on a thousand questions of politics, economics, history, education, and morals. He was far in advance of the age. Some of his ideas have been carried out, some are now being developed, and others may be revived.

In Paris, Saint Pierre founded the first men's club, where the members could have political lectures and discussions, and see the newspapers of Holland, with its admirable free Press, and of England—the dozen newspapers then published in England, including “The Examiner,” for which Swift wrote, and probably also the lighter journals, the “Tatler” and the “Spectator.” Saint Pierre was well acquainted with English affairs. To Parisians, the dwellers in this foggy island, who had beheaded one King, and banished another, with their London newspapers and parliamentary debates, were marvels of freedom. Bolingbroke was a member of Saint Pierre's Club. But so alarmed was the French Government, in the person of Cardinal Fleury, at the idea of political criticism, that Fleury prohibited discussions of political affairs in the new club, and wrote to Saint Pierre to say that “such discussions lead further than one may expect.” As neither Saint Pierre nor the rest of the members of the club wished to be led as far as the Bastille, the club came to an end, after about ten years' active existence. So more volume was added to the distant murmur of the oncoming tidal wave of the Revolution.*

In his “Project for a Perpetual Peace,” Saint Pierre was the first to suggest compulsory arbitra-

* In criticizing Saint Pierre's “Perpetual Peace,” Fleury wrote: “You have forgotten one essential—that of sending missionaries to touch the hearts of princes and persuade them to agree to your views.”

X tion between States. He did not believe in war as a means of permanently settling any dispute. He did not suggest disarmament as a subject for arrangement by the Europe Senate, because he said that disarmament could only come after a period of arbitration, when people had confidence in arbitration.

We cannot suppose that Saint Pierre admired the Assiento Treaty: before all things, he was a humanitarian. All his efforts were devoted to freeing his countrymen. He always loved the country; during the later years of his life he spent every summer among the trees and meadows. Through the influence of the Duchess of Orleans he had been presented to the benefice of the Abbey of Tiron, so was able to give much to charitable objects. He paid for the education of orphan children. Several times he met Rousseau, and had great influence on him: it was curious that both men waited until they were middle aged before publishing anything of importance. Saint Pierre wrote incessantly, and laboured for humanity to the end of his unselfish life. In harmony with the Divine Will, he died peaceably in 1743, aged eighty-five. Voltaire, who saw him not long before he died, asked him how he regarded the great adventure awaiting him; he replied happily: "As a journey into the country." His heart was full of love to humanity. Charles Irénée Castel, Abbé de Saint Pierre, is one of the most original and lovable individuals among all those who have toiled patiently to smoothe the stony road along which mankind is slowly and painfully marching to Freedom and to Peace.

In his "History of the Law of Nations," p. 268, Wheaton remarks, in comparing Saint Pierre's and Rousseau's schemes:

“ Without appealing to those higher motives, for addressing which to sovereigns Saint Pierre had most unjustly incurred the ridicule of practical statesmen, such as the love of true glory, of humanity, and a regard to the dictates of conscience and the precepts of religion, Rousseau merely supposes princes to be endowed with common sense, and capable of estimating how much their interests would be promoted by submitting their respective pretensions to the arbitration of an impartial tribunal, rather than resorting to the uncertain issue of arms.” Also Wheaton observes that “ the almost verbal coincidence ” of Saint Pierre’s Articles 1, 2, 3, 4, 5, “ with those of the fundamental Act of the Germanic Confederation established by the Congress of Vienna in 1815 is remarkable.” *Op. cit.*, p. 263.

A Project for Settling an Everlasting Peace in Europe

First proposed by Henry IV of France, and approved of by Queen Elizabeth, and most of the then Princes of Europe, and now discussed at large and made practicable.

By the Abbé de Saint Pierre, of the French Academy.*

FUNDAMENTAL ARTICLES :—

Article I. The Present Sovereigns, by their under-written Deputies, have agreed to the following articles : There shall be from this Day following a Society, a permanent and perpetual Union, between the Sovereigns subscribed, and if possible among all the Christian Sovereigns, in the Design to make the Peace unalterable in Europe; and in that view the Union shall make, if possible, with its neighbours the Mahometan Sovereigns, Treaties of Alliance, offensive and defensive, to keep each of them in Peace within the Bounds of his Territory,

* Published in London by T. Cooper, 1714. Generally called “ *Perpetual Peace.* ”

by taking of them, and giving to them, all possible reciprocal Securities. The Sovereigns shall be perpetually represented by their Deputies, in a perpetual Congress or Senate, in a free City.

Article II. The European Society shall not at all concern itself about the Government of any State, unless it be to preserve the Fundamental Form of it, and give speedy and sufficient Assistance to the Princes in Monarchies, and to the Magistrates in Republicks, against any that are Seditious and Rebellious. Thus it will be a Guarantee that the Hereditary Sovereignities shall remain hereditary according to the Manner and Custom of each Nation; that those that are elective shall remain elective in that Country where Election is usual; that among the Nations where there are Capitulations, and Conventions which are called *Pacta Conventa*, those sorts of Treaties shall be exactly observed, and that those who in Monarchies should have taken up Arms against the Prince, or in Republicks against some of the chief Magistrates shall be punished with Death and Confiscation of Goods.

Article III. The Union shall employ its whole Strength and Care to hinder, during the Regencies, the Minorities, the weak Reigns of each State, any Prejudice from being done to the Sovereign, either in his Person, or in his Prerogatives, either by his Subjects, or by Strangers, and if any Sedition, Revolt, Conspiracy, Suspicion of Poison, or any other Violence should happen to the Prince, or to the Royal Family, the Union, as its Guardian and Protectress born, shall send Commissioners into that State, to look into the Truth of the Facts, and

shall at the same time send Troops to punish the guilty according to the Rigour of the Laws.

Article IV. Each Sovereign shall be contented, he and his Successors, with the Territory he actually possesses, or which he is to possess by the Treaty hereunto joyned. All the Sovereignties of Europe shall always remain in the condition they are in, and shall always have the same Limits that they have now. No Territory shall be dismembered from any Sovereignty, nor shall any be added to it by Succession, Agreement between different Houses, Election, Donation, Cession, Sale, Conquest, voluntary Submission of the Subjects or otherwise. No Sovereign, nor Member of a Sovereign Family, can be Sovereign of any State besides that or those which are actually in the possession of his Family. . . . No Sovereign shall assume the Title of Lord of any Country, of which he is not in actual Possession, or the Possession of which shall not be promised him by the Treaty hereunto joyned. The Sovereigns shall not be permitted to make an Exchange of any Territory, nor to sign any Treaty among themselves, but with the Consent and under the Guarantee of the Union by the three-fourths of the four and twenty Voices, and the Union shall remain Guarantee for the execution of reciprocal Promises.

Article V. No Sovereign shall henceforth possess two Sovereignties, either Hereditary or Elective; however the Electors of the Empire may be elected Emperors, so long as there shall be Emperors. If by Right of Succession there should fall to a Sovereign a State more considerable than that which he possesses, he may leave that he possesses, and settle himself in that which is fallen to him.

Article VI. The Kingdom of Spain shall not go out of the Bourbon, or the now House of France, so long as there shall be two Males of that Family, of the eldest Branches, or of the youngest Branches, on condition that the Elder shall be always preferred to the Younger, and the Elder Branch to the Younger Branch.

Article VII. The Deputies shall incessantly labour to digest all the Articles of Commerce in general, and of the different Commerces between particular Nations; but in such a manner as that all the Laws may be equal and reciprocal towards all the nations and founded upon Equity. The Articles which shall have passed by Plurality of the Voices of the Present Deputies shall be executed provisionally according to their Form and Tenor, till they be amended and improved by three-fourths of the Voices, when a greater Number of Members shall have signed the Union. The Union shall establish in different Towns Chambers for maintaining of Commerce, consisting of Deputies authorized to reconcile and to judge strictly, and without Appeal, the Disputes that shall arise either upon Commerce or other Matters between the Subjects of different Sovereigns in value above ten thousand Livres; the other Suits of less consequence shall be decided as usual by the Judges of the Place where the Defendant lives: Each Sovereign shall lend his Hand to the Execution of the Judgments of the Chambers of Commerce, as if they were his own Judgments. Each Sovereign shall at his own Charge exterminate his inland Robbers and Banditti and the Pyrates on his Coasts, upon Pain of making reparation, and if he has need of Help, the Union shall assist him.

Article VIII. No Sovereign shall take up Arms or commit any Hostility, but against him who shall be declared an Enemy to the European Society. But if he has any cause to complain of any of the Members, or any Demand to make upon them, he shall order his Deputy to give a Memorial to the Senate in the City of Peace, and the Senate shall take care to reconcile the Differences by its mediating Commissioners; or if they cannot be reconciled, the Senate shall judge them by Arbitral Judgment by Plurality of Voices provisionally, and by the three-fourths of the Voices definitely. This Judgment shall not be given till each Senator shall have received the Instructions and Orders of his Master upon the Fact, and till he shall have communicated them to the Senate. The Sovereign who shall take up Arms before the Union has declared War, or who shall refuse to execute a Regulation of the Society, or a Judgment of the Senate, shall be declared an Enemy to the Society, and it shall make War upon him, 'Till he be disarmed, and 'Till the Judgment and Regulations be executed; and he shall even pay the Charges of the War, and the Country that shall be conquered from him at the time of the Suspension of Arms shall be for ever departed from his Dominions. If after the Society is formed to the number of fourteen Voices, a Sovereign shall refuse to enter into it, it shall declare him an enemy to the Repose of Europe, and shall make War upon him 'till he enter into it, or 'till he be entirely dispossessed.

Article IX. There shall be in the Senate of Europe four and twenty Senators, or Deputies of the united Sovereigns, neither more nor less,

namely, France, Spain, England, Holland, Savoy, Portugal, Bavaria and Associates, Venice, Genoa and Associates, Florence and Associates, Switzerland and Associates, Lorraine and Associates, Sweden, Denmark, Poland, the Pope, Muscovy, Austria, Courland and Associates, Prussia, Saxony, Palatine and Associates, Hanover and Associates, Ecclesiastical Electors and Associates. Each Deputy shall have but one Vote.

Article X. The Members and Associates of the Union shall contribute to the Expences of the Society, and to the Subsidies for its Security, each in Proportion to his Revenues, and to the Riches of his People, and every one's Quota shall at first be regulated provisionally by Plurality, and afterwards by the three-fourths of the Voices, when the Commissioners of the Union shall have taken, in each State, what Instructions and Informations shall be necessary thereupon; and if anyone is found to have paid too much provisionally, it shall afterwards be made up to him in Principal and Interest, by those who shall have paid too little. The less powerful Sovereigns and Associates in forming one Voice, shall alternately nominate their Deputy in Proportion to their Quota.

Article XI. When the Senate shall deliberate upon any thing pressing and provisionable for the Security of the Society, either to prevent or quell Sedition, the Question may be decided by plurality of Voices provisionally, and before it is deliberated they shall begin by deciding, by plurality, whether the matter is provisionable.

Article XII. None of the eleven fundamental Articles above named shall be in any point altered

without the *unanimous* Consent of All the Members; but as for the other Articles, the Society may always, by the three-fourths of the Voices, add or diminish, for the common Good, whatever it shall think fit.

Further Propositions

Utrecht is proposed as the City of Peace.

Every Prince shall keep one Deputy, at least forty years old, two Vice-Deputies, and two Agents in the City of Peace. The Princes shall choose the Deputies for capacity in business, knowledge of civil law, and as to whether they be moderate, patient, and zealous for the Preservation of Peace. Each Prince may revoke them, and substitute others when he shall think fit, and shall not employ the same Deputy for above four years together. If a Deputy is found to be of a Temper opposed to Peace and Tranquillity, the Senate may by two-thirds of the Voices declare him incapable to exercise the functions, and order that the Prince be desired by the Union to nominate another, and from that very Day he shall be excluded from the Senate.

Each of the Deputies shall in turn, week by week, be Prince of the Senate, and Governor or Director of the City of Peace; he shall preside in the Senate and in the Council of Five. There shall be a Council of five Deputies appointed to control the daily affairs of the Senate and City. The Prince may not give any order without the consent in writing, by majority and vote, of this Council. The Deputy of the Sovereign who has first signed the Treaty shall first be Prince of the Senate. In private visits, each Deputy shall be *incognito* and without decorations.

Both standing Committees and temporary Committees shall be formed. The latter Committees are expressly to reconcile Differences between Sovereigns; if they cannot conciliate the Sovereigns, the Senate shall make a Law about the Matter in dispute, and if the Sovereign who is in the wrong does not obey, after Arbitral Judgment has been given by a majority of Voices, once and again after an interval of six months later (so that Deputies can receive instructions from the most distant States), a final Judgment shall be given.

The Language of the Senate shall be the Language most in use in Europe.

The Revenue of the Union shall consist in the ordinary Quota each Sovereign shall pay.

The Army shall be composed of an equal number of Troops from each State, but the Union can lend Money to the poorer and smaller States, through the most powerful Sovereigns. So the Quota of the international Army can be in Money or in Troops. In Peace, there shall be a reduction of Armaments to six thousand for each State.

The Sovereigns, Princes, chief Officers, and Ministers shall renew their oaths Annually.

If the Union enters upon a War it shall appoint a Generalissimo, who shall be elected by a majority of Voices, shall be revocable at pleasure of the Union, and shall not be a member of a Sovereign Family.

The Union shall appoint Commissioners to settle Limits and Boundaries in America and elsewhere. Nothing in these remote Lands should be left to Sovereigns to seize at their pleasure. These Colonies cost more than they bring in: Colonies are opening

a Door for the common People to desert the State. Commerce is not so good when Populations are dispersed, as when People are gathered in a small compass—as in Holland and Zeeland.

The Union shall endeavour to procure a permanent Society in Asia, that Peace may be maintained there too. If the Union had been established two hundred years ago, Europe would now be four times richer than it is. It will cost very little to establish the Union—chiefly the restitution of unjust Conquests—and will cost almost nothing to maintain it, in comparison with the expense of War. Neither the Balance of Power nor Treaties are sufficient to maintain Peace; the only way is by a European Union.

Ter Meulen (*op. cit.*) describes several international schemes written between Saint Pierre's and Rousseau's. Cardinal Alberoni, in 1735, proposed a European Parliament, to decide within a year disputes between States and Princes. Von Loen, in 1747, proposed an international Congress to settle European affairs. Saintard, Goudar, and Franz von Palthen proposed European tribunals, Congresses, or Parliaments, to prevent war. Ter Meulen describes twenty-nine international schemes proposed by individuals (omitting Dante) between 1300 and 1800. A few years after Rousseau's plan, in 1767, Von Lilienfeld, an officer, advocated an international Congress, Law Court, and army.

A different list of schemes is given by Dr. E. Darby, in "International Tribunals"—a volume that was officially declared to be the most useful at the first Hague Conference. Dr. Darby gives twenty-eight schemes, from Henry IV down to the end of the nineteenth century; some were chiefly arbitration proposals.

See Darby's
"Int'l Tribunals"

CHAPTER VII

JEAN JACQUES ROUSSEAU

THE FEDERATION OF EUROPE

DURING the war of the Austrian Succession, when Frederick of Prussia disturbed the balance of power by seizing Silesia, and English politicians were, no doubt, regretting their lack of foresight in subsidizing Prussia before the Treaty of Utrecht, the French Ambassador at Venice, in 1743, was a certain Comte de Montaigu, who had been a Captain in the Guards of Louis XV. His Secretary was Jean Jacques Rousseau.

In this war, England was the helper of Austria. Walpole had long obstinately refused to send British troops to join the general mêlée on the Continent, but eventually a British army was sent, and George II fought at Dettingen. A British fleet guarded the Mediterranean, to prevent Spain from attacking Austria's possessions in Italy. By the second Family Compact, France and Spain agreed to unite in attacking Austria and England. Meanwhile, their good friend, Frederick of Prussia, breaking the treaty his father had signed in support of the Pragmatic Sanction—guaranteed by all Europe—and without any Declaration of War, suddenly, with his new and well-trained army, seized the most convenient portion of Maria Theresa's territory.

So Europe was engaged, when Rousseau arrived in Venice—"this strange and mighty city,"* as Ruskin calls it. Rousseau found an incompetent ambassador, and a heap of despatches waiting for him to decipher. Montaigne could not read the cypher, and knew or cared little about ambassadorial dignity. The Republic of Venice, having recognized the Pragmatic Sanction, was neutral in the European contest; but the Senate, while protesting their faithful neutrality, supplied Austria with munitions and troops, and fighting took place on Venetian territory. There was much correspondence between the French Embassy and Paris, Vienna, St. Petersburg, Madrid, Constantinople, and other capitals. Thus, by his secretarial duties, Rousseau was initiated into the mystery of conducting all relations between States by means of competent or incompetent ambassadors and their staffs. As Montaigne frequently did not sign the correspondence, Rousseau might have caused serious European complications. This practical experience was of more value to him, later, in his political writings, than years of historical study at any university of that period. Rousseau's university was the world, human nature, and his own intuition: the honorary posthumous degree conferred on him by Humanity was that of a world-wide reputation as a political thinker, a literary leader, and an educational and religious reformer.

Going, in his gondola, with the ambassadorial servants, to convey messages to the Senate, Rousseau witnessed the grave ceremonious dignity of one of the oldest political institutions in Europe.

*"The Stones of Venice," chapter i., p. 1.

Though called a Republic, with an elected President—the Doge—the Venetian Constitution, once democratic, had become an aristocratic and hereditary oligarchy, and the peoples' Assembly had, centuries ago, been dispensed with. And though externally magnificent, with her marble palaces, sunlit waterways, gorgeous ceremonies, churches, pictures, regattas, operas, and theatres, Venice was decaying internally. Her protective tariff, her frequent wars with the Turks, and the discovery of the Cape passage to India (in the fifteenth century) had ruined her naval and commercial supremacy. Her Empire of the Orient was lost. Of her constitution, Sismondi wrote: "A suspicious and cruel Government, which maintained itself only by the vigilance of spies, which had promoted immorality to enervate the people, which made the most profound secrecy its only safeguard, which did not tolerate even a question on public affairs, which deprived the accused of even protection before the tribunals, which acknowledged no other limit to the right of punishing by the dagger, by poison, or by the axe of the executioner, than that of the terror of its rulers—a Government such as this became execrated by its subjects. It stained with the most odious tyranny the very name of republic."*

Yet Venice was tolerant to all religions, helped

* "The Italian Republics" (Everyman Library), p. 329.

In modern times, the term "Republic" as applied to some States is used to denote, not to describe. In "South America," p. 526, Lord Bryce, in writing of the South American Republics, states: "There is as great a difference between the best and the worst of them as there is between the best and the worst of European monarchies. Some of them are true republics in the European sense, countries in which the constitutional machinery is a reality and not a sham. Others are petty despotisms, created and maintained by military force."

struggling Protestants in various countries, and always resisted the encroaching power of the papacy. She was the bulwark of Southern Europe against the Turks, and for visitors who did not interfere in political affairs she was a pleasant and amusing city.

Before long Rousseau found it impossible to work with Montaigu, whose unsuitability for the post of an Ambassador of Louis XV was proved in various ways, and the Secretary resigned his post, and returned to Paris. One may ask—was Rousseau's observation of Venice likely to convince him that a Republic is always preferable to a limited monarchy? It is a common idea to suppose that he was an uncompromising Republican. A study of his later political writings proves that such an idea is wrong. Like Montesquieu, who was an aristocrat, and like the great Irishman Burke, who said that almost the whole of his "public exertion had been a struggle for the liberty of others,"* Rousseau hated despotism in any form. Doubtless it was his observation of the political decadence wrought by the tyranny of the hereditary oligarchy in Venice—a more convincing proof than the study of histories in any university—that helped to make him a life-long opponent of the principle of hereditary legislators or governors. In this he was at one with Benjamin Franklin, who wrote to a Genevan contemporary of Rousseau in 1773: "Hereditary legislators! thought I! There would be more propriety, because less hazard of mischief, in having (as in some university of Germany) hereditary *Professors of mathematics!*"

* Burke claimed for the American Colonies the freedom that Rousseau so eloquently claimed for Humanity.

After Rousseau's observation of the Venetian aristocratic Government, then, he could also say with Burke: "I am no friend to aristocracy, in the sense at least in which that word is usually understood. If it were not a bad habit to moot cases on the supposed ruin of the Constitution, I should be free to declare, that if it must perish, I would rather by far see it resolved into any other form than lost in that austere and insolent Domination."*

After Rousseau's return to Paris, an opera of his was successfully produced at Fontainebleau before Louis XV and his Court. Rousseau refused the offer of a pension from the King. "I lost, it is true," he wrote in his "Confessions," "the pension that was, in a way, offered to me, but I freed myself from the yoke it would have imposed on me. Farewell truth, liberty, courage! How, hereafter, could I speak of independence and disinterestedness? I should have been obliged to flatter, or be silent." When he was thirty-eight years old, in 1750, he published his first literary work — a "Discourse on the Arts and Sciences." Three years later he wrote the "Discourse on the Origin and Foundation of the Inequality of Mankind," and his "Discourse on Political Economy" was published in 1755 in the famous Encyclopaedia. These Discourses brought him great public success. The second "Discourse" deeply influenced some of the greatest thinkers. "Kant," writes Professor Vaughan, "dates the great change in the earlier history of his mind from the moment when he learned the lesson of the second Discourse; and he compared the moral revolution wrought by

* "Thoughts on the Present Discontents."

Rousseau in his 'discovery of the deep hidden nature of man' to the intellectual revolution inaugurated by the discoveries of Newton. . . . With Kant we stand at the fountain-head of modern philosophy, and nothing could illustrate more closely the significance of the ideas first proclaimed by Rousseau, than the supreme value attached to them by a thinker so cautious and profound."* And in his edition of the Political Writings of Rousseau, Professor Vaughan remarks: "The work of Rousseau opens a new era in Political Philosophy,"† and further, "It may be doubted whether even professed students of the subject have yet grasped either the vast range of thought which Rousseau opened up, or the goal to which it pointed."‡ Dr. Bosanquet is of the opinion that "the whole political philosophy of Kant, Hegel, and Fichte is founded on the idea of freedom as the essence of man, first announced—such was Hegel's distinct judgment—by Rousseau."§

The success of Rousseau's opera, and the popularity of his "Discourses," made him the most talked-of literary man in Paris, which city—in the opinion of its inhabitants—was then the mind of Europe. In this century, French was the international language, and new French books could be obtained in every European capital. If Paris had

* "Cambridge Modern History," vol. VI, p. 825.

† "The Political Writings of Rousseau." Edited by C. E. Vaughan, M.A., Litt.D. Vol. I, p. 18.

‡ *Op. cit.*, p. 1. Prof. Vaughan gives the most lucid, comprehensive and masterly account of Rousseau's political theories and principles.

§ "The Philosophical Theory of the State." B. Bosanquet, LL.D., D.C.L. p. 238.

the literary and scientific supremacy, she had then lost the political hegemony of Europe, but always retained the political hegemony of France.

Rousseau was entertained in the most brilliant society, and in aristocratic houses: he was besieged in his rooms by crowds of curious and otiose visitors. But the same love of freedom and independence that, in spite of his friends' protestations, made him refuse a royal pension, also a deep spiritual insight that revealed clearly to him the superficiality of this gay, cynical, anti-Christian society, and his profound antipathy to the base jealousies and intrigues of the musical, dramatic, and literary Parisian world, made him decide to leave the cosmopolitan city, to live a simple life in a country cottage, and to earn a humble living by copying music.

In April, 1756, he forsook Paris, and went to live at the Hermitage, four leagues from Paris. During his diplomatic work in Venice he had learned the spirit of political criticism and reform; also he had formed the design of writing a book to be called "Political Institutions." Since that time he had read and thought much, and had observed the scene of France and Europe—an object-lesson in the sinister art of misgovernment. His first labour at the Hermitage was to begin to edit Saint Pierre's many discursive volumes, at the request of Saint Pierre's family. He had met Saint Pierre, in his old age, and no doubt had been greatly influenced by the altruistic abbé. Rousseau then wrote the brilliant essay on "A Lasting Peace" (given in this chapter), also an abridgment of the "Polysynodie." In his criticism of the latter he pointed out that the adoption of Saint Pierre's elective

Councils would have caused a revolution in France, and that such catastrophes must be avoided.

"A Lasting Peace" was published at Amsterdam in 1761, and at Geneva in 1782. It will be observed that Rousseau has made changes in Saint Pierre's plan, and has added an interesting historical essay. Rousseau's severe observations on monarchs were justified by the history of Europe both in the seventeenth and eighteenth centuries. In Rousseau's time all the great Powers, with the exception of England, were absolute monarchies. There was no such thing as representative government on the Continent of Europe. The King of Prussia, Catherine II of Russia, the Empress of Austria, Louis XV of France, the King of Spain—how much power had democracy in their dominions? Most of the Republics of the eighteenth century were autocratic oligarchies. Genoa was as great a tyrant as Venice, and even most of the Swiss Republics were not democratic. The proletariat in nearly every continental country were practically serfs, with no political power, and even no civil rights. It is therefore obvious that the only way of forming a European Parliament at that date was, as Rousseau suggests, by a meeting of Monarchs and rulers of Republics. Readers will note that, with many modern political thinkers, Rousseau was of the opinion that any durable European League or Federation must have the sanction of armed force—an international army. Since Rousseau's time, colonial expansion has added a great impetus to national rivalries and jealousies and thus to the causes of war.

Rousseau had an international reputation as a pioneer in political thought, and (as the author of

“The New Heloise”) as the leader in the new romantic school in literature, when in 1762 he published “Émile,” a treatise on education, and “The Social Contract.” “Emile” has been called “the child’s charter”: it was the forerunner of all education reformers, from Pestalozzi to Madame Montessori.* And the “Social Contract” is the people’s political charter. In this book, in clear, simple, and eloquent language — not in a learned and abstruse treatise like that of Hobbes — Rousseau proclaimed, as its central doctrine, that sovereignty resides in the people, and is inalienable.† Rousseau had, he said, learned the theory from Locke. We express this principle, in the twentieth century, by claiming that government can only be by consent of the governed—the universal belief, to-day, throughout the Anglo-Saxon world, and among most of our Allies. Bagehot remarks that “the ultimate authority in the English Constitution is a *newly-elected* House of Commons. When sure of the

* Lord Morley wrote: “Emilius was the first expression of that democratic tendency in education which political and other circumstances gradually made general, alike in England, France, and Germany. . . . Rousseau enforced the production of a natural and self-sufficing man as the object of education and showed, or did his best to show, the infinite capacity of the young for that simple and natural cultivation.”—“Life of Rousseau,” vol. II, p. 252.

† President Wilson, in “The State,” p. 601, observes: “Sovereignty, therefore, as ideally conceived in legal theory, nowhere actually exists. The sovereignty which does exist is something much more vital—though, like most living things, much less easily conceived. It is the will of an organized independent community, whether that will speak in acquiescence merely, or in active creation of the forces and conditions of politics. The Kings or parliaments who serve as its vehicles utter it, but they do not possess it. Sovereignty resides in the community, but its organs, whether those organs be supreme magistrates, busy legislatures, or subtle privileged classes, are as various as the conditions of historical growth.”

popular assent, and when freshly elected it is absolute—it can rule as it likes and decide as it likes.”*

Rousseau was a believer in the City-State, and in the “Social Contract” advocated the direct vote in primary Assemblies. When he wrote this book he did not believe in representative government. It was before his visit to England. Probably Walpole’s venal Parliaments had failed to convince him of the wisdom of representative government to which he objected on principle. He wrote: “Law, being purely the declaration of the general will, it is clear that in the exercise of the legislative power the people cannot be represented; but in that of the executive power, which is only the force that is applied to give law effect, it both can and should be represented.” Though this opinion of Rousseau seems retrograde, it deserves consideration, and recent events in the United Kingdom (e.g. the General Election, 1918) will lead to deeper consideration. On this debatable question of self-government, Dr. Bosanquet writes: “The paradox of self-government then, so far from being theoretically solved by the development of political institutions to their highest known maturity, is simply intensified by their development. When the arbitrary and irrational powers of classes or of individuals have been swept away, we are left to face, it would seem, with the coercion of some by others as a necessity in the nature of things. And, indeed, however perfectly self-government has been substituted for despotism, it is flying in the face of experience to suggest that

* Walter Bagehot. “The English Constitution,” p. 313. But if the House of Commons is not “sure of the popular assent,” it cannot be the “ultimate authority.” The General Election of 1918 has been justly called “the defeat of representative government.”

the average individual self, as he exists in you and me, is *ipso facto* satisfied and at home in all the acts of the public power which is supposed to represent him."*

In the first chapter of this book, the revival of the City-State was suggested, and the placing of such City-States under the protection of the League of Nations. Such City-States would have primary Assemblies, and perhaps only in such Assemblies, or by means of a plebiscite, can there be a perfect declaration of the rational General Will of the people.

The question of representative government is not irrelevant to the study of a League of Nations.† On the contrary, it is of the greatest importance, and may be declared to be the basis of any lasting League of Nations. Out of the present European chaos, new States are arising, Constitutions must be drawn up, and Parliaments must be elected. On the wisdom of the members of these Parliaments (not only in the new States, but also in the old ones), and on the wisdom of their Governments will depend the success of a League of Nations. But has the problem of electing the wisest persons to Parliament been solved in any country?‡

* Bosanquet. *Op. cit.*, p. 75.

† It is remarkable that in this century, after so many years' trial of the system of representative government, Rousseau's disbelief in the system is echoed by advanced thinkers both in Europe and in the United States. A recent writer, Miss Follett, of Boston, U.S.A., in "The New State," observes: "Representative government has failed. It has failed because it was not a method by which men could govern themselves. Direct government is now being proposed." (p. 5.) Miss Follett repudiates "ballot-box democracy," and states that effective self-government depends on a "collective will" to be created by group-organization. "The technique of democracy is group-organization." (p. 7.)

‡ Proportional Representation cannot secure the election of the wisest servants of the State.

This problem Rousseau had also deeply considered, and in his Project for the Government of Poland (written in 1772, published in 1782) he suggests a remarkable solution. In 1769 a Polish Convention had decided to ask the political theorists of France to draw up a new constitution for Poland. Wielhorski, a member of the Diet, was sent to France, and after applying to Mably, requested Rousseau to help them. It is from this Project that we learn Rousseau's political evolution. "There is," as Professor Vaughan remarks, "nothing that could be fairly called revolutionary or fanatical in these proposals."* Rousseau based the plan on the historical evolution of Poland; he does not propose many changes, and he allows more power to the King than any British Liberal would allow. The plan is also based on individual liberty, careful education, popular control of the Government, and patriotic devotion to the State. Poland, Rousseau suggests, should be divided into three Provinces, with Home Rule and Diets, and there should be one central Diet, to which the provincial Diets should be federated. The "true palladium of liberty was to have frequent Diets," and to take every precaution that the members of the Diets obeyed the mandates from their constituents. A great State like Poland, Rousseau said, must have a King, or a chief for life, but he should be a Pole, not a foreigner. The King should preside at the Diet and the Senate, and command the army in time of War: he must be non-party and have no power to change the Government. The King should be chosen from the Senators, who have passed all three grades of State

* "The Political Writing of J. J. R.," vol. II, p. 377.

Service. Rousseau strongly advised the Poles to adopt the custom of the ancient Egyptians, who judged their Kings after death, and refused a royal funeral to those who had reigned badly. It must be a democratic judgment, by a special order of citizens. All servants of the State ought to undergo progressive tests or trials, in the following way:—

First Grade. Lawyers, members of the lower tribunals, and inferior civil servants must work as such for three years: then they receive certificates from their superiors, which must be visé by the public. They can then present themselves to the Diet of their Province, where, after a severe examination of their conduct, they receive a gold medal, with this motto: "*Spes Patriae*" and they take this title, "*Servants of the State.*" Only such Servants may be elected to the Diet, the Tribunals, or the Finance Commission, or have any public function. *The nobles must also undergo this trial.*

Second Grade. Those who have been three times elected to the Diet, and have obtained the approbation of their constituents, gain this step. Certificates of approbation must be presented to the Diet before a Servant receives the second medal and title. This medal is of silver, and bears the motto "*Civis Electus,*" and the title is "*Chosen Citizen,*" or simply "*Elected.*" Only this grade can be elected to the Senate, and members of this grade can be Principals of colleges and Inspectors of education. When Deputies leave the Diet, they must obtain certificates from the Diet, as well as from their constituents.

Third Grade. All Senators who have been three times granted approbation, pass into this Grade, which is the first in the State, conferred by the King, on the nomination of the Diet: The medal is of blue steel, and bears the motto "*Custos Legum.*" Governors of Provinces must be drawn from this grade, and members of it may be elected as King. These three grades are a gradual march to the true nobility of a Nation, and to the Judiciary and Government.

Rousseau's proposal for choosing wise Servants of the State (which he said he had learned in Venice*) was never tried in Poland. He completed his Project for Poland in 1772. In the same year the first Partition of Poland took place; in 1793 occurred the second Partition, and in 1796, by the third Partition, the great State of Poland was swept from the map of Europe. It was the triumph of Might over Right, and it was sanctioned by the Congress of Vienna. But despots could not destroy the Polish nation, and all lovers of freedom and national justice hope that The League of Nations will regain and guarantee to the Poles the possession of their ancient Kingdom.

Rousseau was a believer in small States rather than in large States.† Small States, he said, were more patriotic, more moral, and more prosperous

* Hastings Rashdall states that in the fifteenth and sixteenth centuries Padua was one of the leading Universities in Europe: it was supported by the Venetian Government, and a university training at Padua was necessary as a qualification for all public functionaries.—"The Universities of Europe in the Middle Ages," vol. II, p. 21.

† It has been suggested that small States can form Leagues and so take a higher grade in the League of Nations.

Rousseau also wrote a Project for Corsica, which is an interesting study. For Corsica he advised a democratic, mixed Government, because it was the cheapest.

than large States. Small States loved Peace, and liberty was as precious to them as life, but they were exposed to unjust attacks by large States, and to guard their freedom they must join in Confederations—or, as he called it, "Federations." Rousseau wrote a treatise on Confederations: it was the completing crown of his political system. But he gave this treatise to the Count d'Antraigues, who most unfortunately destroyed it in 1789. In the twentieth century we use the word *League* instead of Confederation.

After Rousseau's death (in 1778) the French Parliament, the States-General, met again after an interval of 175 years, during which time unhappy France had been ruled by absolute Kings. On July 27, 1789, a summary of the instructions given by the electors to the Deputies was read to the Parliament. The instructions included these principles: the reform of the hereditary monarchy, which must be continued; that the King was the depository of executive power, and that property and individual liberty were sacred. But the Parliament refused to obey this mandate; it threw overboard these instructions, declared itself a Sovereign Constituent Assembly, and the Revolution began. It is clear that the General Will of the French nation was to reform the monarchy—not to abolish it. And it is clear that the later Convention, in condemning the King, discarded Rousseau's cardinal principle in representative government—as expounded in his Project for Poland—that the people's mandate must be carried out. Therefore Rousseau cannot be held responsible for the Revolution. Lecky observes: "It would be doing Rousseau a great injustice to

suppose that he expected, preached, or desired any violent revolution. . . . His writings contain much that is irreconcilably opposed to the Revolution.”*

It was not Rousseau's doctrines, it was the condition of France, as a result of the rule of autocratic monarchs, who misgoverned their country and waged senseless wars for glory and conquests, that caused the Revolution. “What was the Revolution?” asks Hilaire Belloc, and then replies: “It was essentially a reversion to the normal—a sudden and violent return to those conditions which are necessary bases of health in any political community, which are clearly apparent in every primitive society, and from which Europe had been estranged by our increasing complexity and a spirit of routine.”†

Nor was it necessary for the French people to look in Rousseau's writings for the novel idea of a Republic. In the eighteenth century there were more Republics in Europe than in the nineteenth. How many Republics there will be in Europe in the twentieth century, no one at present can say. But their wisdom and stability, their contribution to the success of a League of Nations will depend on their solution of the root problem of representative government. And as a light on this problem, a study of Rousseau's Three Grades in his Project for Poland may well be recommended.

* “History of England in the Eighteenth Century,” vol. VI, p. 263.

† “Life of Danton,” p. 1.

A LASTING PEACE
THROUGH THE FEDERATION OF EUROPE
BY JEAN JACQUES ROUSSEAU
STATEMENT OF ST. PIERRE'S PROJECT*

Never did the mind of man conceive a scheme nobler, more beautiful, or more useful than that of a lasting peace between all the peoples of Europe. Never did a writer better deserve a respectful hearing than he who suggests means for putting that scheme in practice. What man, if he has a spark of goodness, but must feel his heart glow within him at so fair a prospect? Who would not prefer the illusions of a generous spirit, which overleaps all obstacles, to that dry, repulsive reason whose indifference to the welfare of mankind is ever the chief obstacle to all schemes for its attainment?

I doubt not that many readers will forearm themselves with scepticism, as the best defence against the pleasure of yielding to conviction. I pity the melancholy mood which makes them take obstinacy for wisdom. On the other hand, I trust that every generous spirit will share the thrill of emotion with which I take up the pen on a subject which concerns mankind so closely. I see in my mind's eye all men joined in the bonds of love. I call before my thoughts a gentle and peaceful brotherhood, all

* Trans. by C. E. Vaughan, M.A., Litt. D., Editor of Rousseau's Political Writings.

living in unbroken harmony, all guided by the same principles, all finding their happiness in the happiness of all. And, as I dwell upon this touching picture, the idea of an imaginary happiness will cheat me for a few moments into the enjoyment of a real one.

In these opening words, I could not refrain from giving way to the feelings which filled my heart. Now let us do our best to reason coolly. Resolved as I am to assert nothing which I cannot prove, I have the right to ask the reader in his turn to deny nothing which he is unable to refute. It is not so much the reasoners I am afraid of as those who, without yielding to my proofs, steadily refuse to bring any arguments against them.

No man can have thought long upon the means of bringing any Government to perfection without realizing a host of difficulties and obstacles which flow less from its inherent nature than from its relation to its neighbours. The result of this is that the care which ought to be given to its internal welfare has to be largely spent upon its outward security; and we are compelled to think more of providing for its defence against others than of making it as good as it may be in itself. If the social order were really, as is pretended, the work not of passion but of reason, should we have been so slow to see that, in the shaping of it, either too much, or too little, has been done for our happiness? that, each one of us being in the civil state as regards our fellow-citizens, but in the state of nature as regards the rest of the world, we have taken all kinds of precautions against private wars only to kindle national wars a thousand times more

terrible? and that, in joining a particular group of men, we have really declared ourselves the enemies of the whole race?

If there is any way of reconciling these dangerous contradictions, it is to be found only in such a form of federal Government as shall unite nations by bonds similar to those which already unite their individual members, and place the one no less than the other under the authority of the Law. Even apart from this, such a form of Government seems to carry the day over all others; because it combines the advantages of the small and the large State, because it is powerful enough to hold its neighbours in awe, because it upholds the supremacy of the Law, because it is the only force capable of holding the subject, the ruler, the foreigner equally in check.

Such a form of Government is to some extent a novelty, and its principles have been fully understood only by the moderns. But it was not unknown among the ancients. The Greeks had their Amphictyons and the Etruscans their Lucumonies; the Latins had their *ferioe* and the Gauls their city-leagues; the Achaean League gave lustre to the death-struggles of Greece. But not one of these Federations was built up with half the wisdom which has gone to the making of the Germanic Body, of the Helvetic League, or of the States-General. And if these Bodies are still so scarce and so far from the perfection which we feel they might attain, that is because the realization of the good invariably falls short of the ideal; because, in politics as in morals, the more we enlarge our knowledge, the more we are forced to recognize the extent of our misery.

In addition to these formal Confederations, it is possible to frame others, less visible but none the less real, which are silently cemented by community of interests, by conformity of habits and customs, by the acceptance of common principles, by other ties which establish mutual relations between nations politically divided. Thus the Powers of Europe constitute a kind of whole, united by identity of religion, of moral standard, of international law; by letters, by commerce, and finally by a species of balance which is the inevitable result of all these ties and, however little any man may strive consciously to maintain it, is not to be destroyed so easily as many men imagine.

This concert of Europe has not always existed; and the special causes which produced it are still working to preserve it. The truth is that, before the conquests of the Romans, the nations of this continent, all sunk in barbarism and each utterly unknown to the others, had nothing in common beyond the character which belonged to them as men: a character which, degraded by the practice of slavery, differed little enough in their eyes from that which constitutes the brute. Accordingly the Greeks, vain and disputatious, divided mankind, it may almost be said, into two distinct races: the one—their own, of course—made to rule; the other—the entire rest of the world—created solely to be slaves. From this principle it followed that a Gaul or a Spaniard was no more to a Greek than a Kaffir or Red Indian; and the barbarians themselves were as deeply divided from each other as the Greeks from all of them.

But when these men, born to rule, had been

conquered by their slaves the Romans, when half of the known universe had passed beneath the same yoke, a common bond of laws and government was established, and all found themselves members of the same Empire. This bond was still further tightened by the recognized principle, either supremely wise or supremely foolish, of imparting to the conquered all the rights of the conqueror: above all, by the famous decree of Claudius, which placed all the subjects of Rome on the roll of her citizens.

Thus all members of the Empire were united in one body politic. They were further united by laws and civil institutions which reinforced the political bond by defining equitably, clearly, and precisely, so far as this was possible in so vast an empire, the mutual rights and duties of the ruler and the subject, of one citizen as against another. The Code of Theodosius and the later legislation of Justinian constituted a new bond of justice and reason, which came in to replace the sovereign power at the very moment when it showed unmistakable signs of slackening. This did more than anything else to stave off the break-up of the Empire and to maintain its authority even over the barbarians who ravaged it.

A third and yet stronger bond was furnished by religion; and it cannot be denied that Europe, even now, is indebted more to Christianity than to any other influence for the union, however imperfect, which survives among her members. So true is this that the one nation which has refused to accept Christianity has always remained an alien among the rest. Christianity, so despised in its infancy,

ended by serving as a sanctuary to its slanderers. And the Roman Empire, which had persecuted it for centuries with fruitless cruelty, drew from it a power which she could no longer find in her own strength. The missionaries did more for her than any victory; she dispatched bishops to redeem the mistake of her generals and triumphed by the aid of the priest when her soldiers were defeated. It is thus that the Franks, the Goths, the Burgundians, the Lombards, the Avars and many others ended by recognizing the authority of the Empire which they had mastered, by admitting, at least in appearance, not only the law of the Gospel, but also that of the Prince at whose command it had been preached to them.

Such was the respect which this august body inspired even in its death-throes that, to the very end, its conquerors felt themselves honoured by the acceptance of its titles. The very generals who had humbled the Empire became its ministers and officials; the proudest kings welcomed, nay even canvassed for, the patriciate, the prefecture, the consulate; and, like the lion who fawns upon the man he could easily devour, these terrible conquerors did homage to the imperial throne which they might at any moment have cast down.

Thus the priesthood and the Empire wove a bond between various nations which, without any real community of interests, of rights, or of mutual dependence, found a tie in common principles and beliefs, the influence of which still survives even after its foundation is withdrawn. The venerable phantom of the Roman Empire has never ceased to unite the nations which once formed part of it;

and as, after the fall of the Empire, Rome still asserted her authority under another form,* Europe, the home of the temporal and spiritual Powers, still retains a sense of fellowship far closer than is to be found elsewhere. The nations of the other continents are too scattered for mutual intercourse; and they lack any other point of union such as Europe has enjoyed.

There are other, and more special, causes for this difference. Europe is more evenly populated, more uniformly fertile; it is easier to pass from one part of her to another. The interests of her princes are united by ties of blood, by commerce, arts and colonies. Communication is made easy by countless rivers winding from one country to another. An inbred love of change impels her inhabitants to constant travel, which frequently leads them to foreign lands. The invention of printing and the general love of letters has given them a basis of common knowledge and common intellectual pursuits. Finally, the number and smallness of her States, the cravings of luxury and the large diversity of climates which Europe offers for their satisfaction, make them all necessary to each other. All these causes combine to make of Europe not, like Asia and Africa, a purely imaginary assemblage of peoples with nothing in common save the name, but a real community with a religion and a moral code, with customs and even laws of its own, which

* Respect for the Roman Empire has so completely survived her power that many jurists have questioned whether the Emperor of Germany is not the natural sovereign of the world; and Bartholus carried this doctrine so far as to treat any one who dared to deny it as a heretic. The writings of the canonists are full of the corresponding doctrine of the temporal supremacy of the Roman Church. [Rousseau's note.]

none of the component nations can renounce without causing a shock to the whole frame.

Now look at the other side of the picture. Observe the perpetual quarrels, the robberies, the usurpations, the revolts, the wars, the murders, which bring daily desolation to this venerable home of philosophy, this brilliant sanctuary of art and science. Consider our fair speeches and our abominable acts, the boundless humanity of our maxims and the boundless cruelty of our deeds; our religion so merciful and our intolerance so ferocious; our policy so mild in our text-books and so harsh in our acts; our rulers so beneficent and our people so wretched; our Government so temperate and our wars so savage: and then tell me how to reconcile these glaring contradictions; tell me if this alleged brotherhood of the nations of Europe is anything more than a bitter irony to denote their mutual hatred.

But, in truth, what else was to be expected? Every community without laws and without rulers, every union formed and maintained by nothing better than chance, must inevitably fall into quarrels and dissensions at the first change that comes about. The historic union of the nations of Europe has entangled their rights and interests in a thousand complications; they touch each other at so many points that no one of them can move without giving a jar to all the rest; their variances are all the more deadly, as their ties are more closely woven; their frequent quarrels are almost savage as civil wars.

Let us admit then that the Powers of Europe stand to each other strictly in a state of war, and that all the separate treaties between them are in

the nature rather of a temporary truce than a real peace: whether because such treaties are seldom guaranteed by any except the contracting parties; or because the respective parties are never thoroughly determined and are therefore bound—they, or the claims which pass for rights in the eyes of Powers who recognize no earthly superior—to give rise to fresh wars as soon as a change of circumstances shall have given fresh strength to the claimants.

More than this: the public Law of Europe has never been passed or sanctioned by common agreement; it is not based upon any general principles; it varies incessantly from time to time and from place to place; it is therefore a mass of contradictory rules which nothing but the right of the stronger can reduce to order: so that, in the absence of any sure clue to guide her, reason is bound, in every case of doubt, to obey the promptings of self-interest—which, in itself, would make war inevitable, even if all parties desired to be just. With the best intentions in the world, all that can be done is to appeal to arms, or put the question to rest for a moment by a treaty. But the old quarrel soon comes to life again, complicated by others which have arisen in the interval; all is confusion and bewilderment; the truth is obscured so hopelessly that usurpation passes for right and weakness for wrong. In this general welter, all bearings have been so utterly lost that, if we could get back to the solid ground of primitive right, few would be the sovereigns in Europe who would not have to surrender all that they possess.

Another source of war, less obvious but not less real, is that things often change their spirit without

+ any corresponding change of form; that States, hereditary in fact, remain elective in appearance; that we find Parliaments or States-General in Monarchies and hereditary rulers in Republics; that a Power, in fact dependent on another, often retains the semblance of autonomy; that all the provinces ruled by the same sovereign are not always governed by the same laws; that the laws of succession differ in different dominions of the same sovereign; finally, that the tendency of every Government to degenerate is a process which no human power can possibly arrest. Such are the causes, general and special, which unite us only to work our ruin. Such are the reasons which condemn us to write our high-sounding theories of fellowship with hands ever dyed afresh in blood.

✓ The causes of the disease, once known, suffice to indicate the remedy, if indeed there is one to be found. Every one can see that what unites any form of society is community of interests, and what disintegrates is their conflict; that either tendency may be changed or modified by a thousand accidents; and therefore that, as soon as a society is founded, some coercive power must be provided to co-ordinate the actions of its members and give to their common interests and mutual obligations that firmness and consistency which they could never acquire for themselves.

✓ It would, indeed, be a great mistake to suppose that the reign of violence, described above, could ever be remedied by the mere force of circumstances, or without the aid of human wisdom. The present balance of Europe is just firm enough to remain in perpetual oscillation without losing itself altogether;

and, if our troubles cannot increase, still less can we put an end to them, seeing that any sweeping revolution is henceforth an impossibility.

In proof of this conclusion, let us begin by glancing at the present condition of Europe. The lie of the mountains, seas and rivers which serve as frontiers for the various nations who people it, seems to have fixed for ever their number and their size. We may fairly say that the political order of the continent is, in some sense, the work of nature.

In truth, we must not suppose that this much vaunted balance is the work of any man, or that any man has deliberately done anything to maintain it. It is there; and men who do not feel themselves strong enough to break it conceal the selfishness of their designs under the pretext of preserving it. But, whether we are aware of it or no, the balance continues to support itself without the aid of any special intervention; if it were to break for a moment on one side, it would soon restore itself on another; so that, if the princes who are accused of aiming at universal monarchy were in reality guilty of any such project, they gave more proof of ambition than of genius. How could any man look such a project in the face without instantly perceiving its absurdity, without realizing that there is not a single potentate in Europe so much stronger than the others as ever to have a chance of making himself their master? No conqueror has ever changed the face of the world unless, appearing suddenly with an army of unexpected strength, or with foreign troops hardened to war in other service, he fell upon nations who were either disarmed, or divided, or undisciplined. But where is a European

the whole is greater

prince to find an army of unexpected strength sufficient to crush all the others, when the most powerful of them has only a fraction of the strength belonging to the whole body and all the rest are watching so carefully to prevent him? Will he have a larger army than all of them put together? It is impossible; or he will only ruin himself the sooner; or his troops will be less good, just because they are more numerous. Will his troops be better trained? They will be proportionally fewer; not to mention that discipline is now everywhere the same, or will have become so before long. Will he have more money? Its sources are open to all, and no great conquest was ever made by money. Will he fall upon his enemies suddenly? Famine, or fortresses, will bar his way at every step. Will he strive to win his way inch by inch? Then he will give his enemies time to unite their forces to resist him; time, money and men will all be bound to fail him. Will he try to divide the other Powers and conquer them one by one? The traditional maxims of Europe make such a policy impossible; the very most stupid of princes would never fall into such a trap as that. In a word, as all the sources of power are equally open to them all, the resistance is in the long run as strong as the attack; and time soon repairs the sudden accidents of fortune, if not for each prince individually, at least for the general balance of the whole.

Now let us take the supposition that two or three potentates league themselves together to conquer all the rest. Those three potentates, take them where you please, will not together have behind them as much as half of Europe. The other half

will, quite certainly, make common cause against them. They will therefore have to conquer an enemy stronger than themselves. I may add that their interests are too contradictory and their mutual jealousies too great to allow of such a project ever being formed. I may add further that, even if it were formed, even if it were put in act, even if it had some measure of success, that very success would sow the seeds of discord among our victorious allies. It is beyond the bounds of possibility that the prizes of victory should be so equally divided, that each will be equally satisfied with his share. The least fortunate will soon set himself to resist the further progress of his rivals, who in their turn, for the same reason, will speedily fall out with one another. I doubt whether, since the beginning of the world, there has been a single case in which three, or even two, Powers have joined forces for the conquest of others, without quarrelling over their contingents, or over the division of the spoil, and without, in consequence of this disagreement, promptly giving new strength to their common enemy. From all this it appears improbable that, under any supposition, either a king, or a league of kings, is in a position to bring about any serious or permanent change in the established order of Europe.

This does not mean that the Alps, the Rhine, the sea, and the Pyrenees are in themselves a barrier which no ambition can surmount; but that these barriers are supported by others which either block the path of the enemy, or serve to restore the old frontiers directly the first onslaught has spent its force. The real strength of the existing order

is, in truth, to be found partly in the play of conflicting policies which, in nine cases out of ten, keep each other mutually in check. But there is another bulwark more formidable yet. This is the Germanic Body, which lies almost in the centre of Europe and holds all the other parts in their place, serving still more perhaps for the protection of its neighbours than for that of its own members: a Body formidable to all by its size and by the number and valour of its component peoples; but of service to all by its constitution which, depriving it both of the means and the will to conquer, makes it the rock on which all schemes of conquest are doomed infallibly to break. In spite of all its defects, it is certain that, so long as that constitution endures, the balance of Europe will never be broken; that no potentate need fear to be cast from his throne by any of his rivals; and that the Treaty of Westphalia will perhaps for ever remain the foundation of our international system. Accordingly, the system of public Right, which the Germans study so diligently, is even more important than they suppose. It is the public Right not only of Germany, but even, in many ways, of Europe as a whole. †

But the established order, if indestructible, is for that very reason the more liable to constant storms. Between the Powers of Europe there is a constant action and reaction which, without overthrowing them altogether, keeps them in continual agitation. Ineffectual as they are, these shocks perpetually renew themselves, like the waves which for ever trouble the surface of the sea without ever altering its level. The nations are incessantly

ravaged, without any appreciable advantage to the sovereigns.

It would be easy for me to draw the same lesson from a study of the special interests of all the Courts of Europe; to shew that those interests are so cunningly interwoven as to hold their respective forces mutually in check. But current theories of commerce and money have bred a political bigotry which works such rapid changes in the apparent interests of princes that it is impossible to arrive at any firm conclusion as to their real interests, seeing that everything now depends upon the economic systems, for the most part thoroughly crazy, which chance to flit through a minister's brain. For all that, commerce tends more and more to establish a balance between State and State; and by depriving certain Powers of the exclusive advantages they once drew from it, deprives them at the same time of one of the chief weapons they once employed for imposing their will upon the rest.*

If I have dwelt upon the equal distribution of forces which springs from the present constitution of Europe, it was in order to draw from it a conclusion of the highest importance to the project for establishing a general league among her peoples. For, if we are to form a solid and lasting Federa-

* There has been a great change since I wrote these words (1756); but my principle will always remain true. It is easy enough to foresee, for instance, that England, with all her glory, will be ruined within twenty years, and, moreover, will have lost what remains of her freedom. All the world asserts that agriculture flourishes in that island. I would wager anything that it is dying fast. London grows every day; therefore the Kingdom is being depleted. The English have set their minds on being conquerors; therefore they are hastening to be slaves. [Rousseau's note, 1761. For *what remains of her freedom*, he had originally written simply *her freedom*.]

tion, we must have put all the members of it in a state of such mutual dependence that no one of them is singly in a position to overbear all the others, and that separate leagues, capable of thwarting the general League, shall meet with obstacles formidable enough to hinder their formation. Failing this, the general League will be nothing but an empty name; and under an appearance of subjection, every member of it will in reality be independent. But, if those obstacles are such as I have described at the present moment—a moment when all the Powers are entirely free to form separate leagues and offensive alliances—judge what they would become, if there were a general League, fully armed and ready at any moment to forestall those who should conceive the design of destroying or resisting it. That in itself is enough to show that such a Federation, so far from ending in mere vain discussions to be set at defiance with impunity, would on the contrary give birth to an effective Power, capable of forcing any ambitious ruler to observe the terms of the general League which he has joined with others to set up.

From the above survey three certain conclusions may be drawn: the first that, Turkey excepted, there already exists among the nations of Europe a bond, imperfect indeed but still closer than the loose and general ties which exist between man and man in the state of nature; the second, that the imperfections of this association make the state of those who belong to it worse than it would be if they formed no community at all; the third, that these rudimentary ties, which make such an association injurious, make it at the same time readily capable of improve-

ment, that all its members might easily find their happiness in what actually makes their misery, that from the state of war which now reigns among them they might perfectly well draw an abiding peace.

Let us now consider the means by which this great work, begun by chance, may be completed by wisdom. Let us ask how the free and voluntary association which now unites the States of Europe may be converted, by taking to itself the strength and firmness of a genuine Body politic, into an authentic Federation. There is no doubt that such a Federation, by giving to the existing bond the completeness which it now lacks, will increase all its advantages and compel all the parts to unite for the benefit of the whole body. But, before this result can be brought about, the Federation must embrace all the important Powers in its membership; it must have a Legislative Body, with powers to pass laws and ordinances binding upon all its members; it must have a coercive force capable of compelling every State to obey its common resolves whether in the way of command or of prohibition; finally, it must be strong and firm enough to make it impossible for any member to withdraw at his own pleasure the moment he conceives his private interest to clash with that of the whole body. Those are the sure signs by which the world may satisfy itself of the wisdom, usefulness and solidity of our structure. It only remains now to carry our speculation a stage further: to discover by analysis what are the practical consequences which should flow from it, what the means best fitted to realize it, and whether there is any reasonable hope of putting it in execution.

From time to time there are convoked in Europe certain general assemblies called Congresses, to which deputies from every State repair solemnly, to return in the same way; where men assemble to say nothing; where all the affairs of Europe are overhauled in detail; where men lay their heads together to deliberate whether the table they sit at shall be square or round; whether the hall shall have six doors or five; whether one plenipotentiary shall sit with his face or his back to the window, whether another shall come two inches further, or less far, into the room on a visit of ceremony: in fine, on a thousand questions of equal importance which have been discussed without any settlement for the last three centuries and are assuredly very fit to engross the statesmen of our own.

It is possible that the members of one of these assemblies may, once in a way, be blessed with common sense. It is even not impossible that they may have a sincere desire for the general good. For reasons to be assigned shortly, it is further conceivable that, after smoothing away a thousand difficulties, they will receive orders from their sovereigns to sign the Constitution of the Federation of Europe, which I suppose to have been summarily drafted in the five following Articles.

By the first, the contracting sovereigns shall enter into a perpetual and irrevocable alliance, and shall appoint plenipotentiaries to hold, in a specified place, a permanent Diet or Congress, at which all questions at issue between the contracting parties shall be settled and terminated by way of arbitration or judicial pronouncement.

By the second shall be specified the number of

the sovereigns whose plenipotentiaries shall have a vote in the Diet; those who shall be invited to accede to the Treaty; the order, date, and method by which the presidency shall pass, at equal intervals, from one to another; finally the quota of their respective contributions and the method of raising them for the defrayal of the common expenses.

By the third, the Federation shall guarantee to each of its members the possession and government of all the dominions which he holds at the moment of the Treaty, as well as the manner of succession to them, elective or hereditary, as established by the fundamental laws of each Province. Further, with a view to suppressing at a single stroke and at the source those incessant disputes which arise between them, it shall be agreed to take as basis of the respective rights of the contracting parties the possession of the moment, as settled in each case by the last treaty concluded, with a general renunciation on all sides of every anterior claim: exception being made for all disputed successions and other claims to fall due in the future, all which shall be determined by arbitration of the Diet, to the absolute exclusion of all attempts to settle the matter by force or to take arms against each other under any pretext whatsoever.

By the fourth shall be specified the conditions under which any Confederate who may break this Treaty shall be put to the ban of Europe and proscribed as a public enemy: namely, if he shall have refused to execute the decisions of the Grand Alliance, if he shall have made preparations for war, if he shall have made a treaty hostile to the ends of the Federation, if he shall have taken up

arms to resist it or to attack any one of the Confederates.

By the same Article, it shall be agreed that all the Confederates shall arm and take the offensive, conjointly and at the common expense, against any State put to the ban of Europe, and that they shall not desist until the moment when he shall have laid down his arms, carried out the decisions and orders of the Diet, made amends for his offence, paid all the costs and atoned even for such warlike preparations as he may have made in defiance of the Treaty.

Finally, by the fifth Article, the plenipotentiaries of the Federation of Europe shall receive standing powers to frame—provisionally by a bare majority, definitively (after an interval of five years) by a majority of three-quarters—those measures which, on the instruction of their Courts, they shall consider expedient with a view to the greatest possible advantage of the Commonwealth of Europe and of its members, all and single. In none of the above five Articles, however, shall any change ever be made except with the unanimous consent of the Confederates.

These five Articles, thus summarized and reduced to the most general form, are, I am aware, exposed to countless petty objections, several of which would call for lengthy explanations. But petty objections are easily removed in case of need; and, in an enterprise of this importance, they are beside the point. When the policy of the Congress comes to be considered, a thousand obstacles will present themselves and ten thousand ways of removing them. It is *our* business to ask whether, in the nature of the case, the enterprise is possible or no. We

should lose ourselves in volumes of trifles, if we had to foresee all and find an answer to all. Confining ourselves, as we do, to incontestable principles, we have no call to satisfy every reader, nor to solve every objection, nor to say how every detail will be settled. It is enough to shew that a settlement is possible.

In judging of this scheme, then, what are the questions that have to be considered? Two only; for I will not insult the reader by proving to him the general proposition that the state of peace is a better thing than the state of war.

The first question is whether the Federation suggested would be certain to answer its purpose and give a solid and abiding peace to Europe. The second, whether it is for the interest of the various sovereigns to establish such a Federation and to pay the price I have mentioned to obtain a lasting peace.

When we have thus proved our scheme to be for the advantage both of Europe as a whole and of all the States composing her, what obstacle is left, we ask, that can possibly prevent the execution of a design which, after all, depends solely upon the will of those concerned?

In discussing the first Article, for instance, let us apply what has been said above of the general order now established in Europe and of the common resolve which confines each Power practically within its traditional limits and does not allow it wholly to crush any of the others. In order to make my argument clear, I give here a list of the nineteen Powers here assumed to constitute the Commonwealth of Europe, to each of which I give an equal

voice, making altogether nineteen votes, in the deliberations of the Diet :—

- The Emperor of the Romans,*
- The Emperor of Russia,
- The King of France,
- The King of Spain,
- The King of England,
- The States-General,†
- The King of Denmark,
- Sweden,
- Poland,
- The King of Portugal,
- The Sovereign of Rome,‡
- The King of Prussia,
- The Elector of Bavaria and his associates,
- The Elector Palatine and his associates,
- The Swiss and their associates,
- The ecclesiastical Electors and their associates,
- The Republic of Venice and her associates,
- The King of Naples,
- The King of Sardinia.

Several minor sovereigns — for instance, the Republic of Genoa, the dukes of Parma and Modena, and others — are omitted from the list. They will be associated with one or other of the less powerful States, with whom they will share a vote, after the fashion of the point vote (*votum curiatum*) of the Counts of the Empire. It is useless to make the list more precise because, at any moment before the scheme is put in force, things may happen which,

* i.e. the Potentate commonly, but incorrectly, called the Emperor of Germany.

† i.e. the Dutch Netherlands.

‡ i.e. the Pope.

without affecting the principle of the measure, may call for alterations of detail.

A glance at the list will be enough to prove conclusively that it is impossible either for any single Power to resist the united action of all the others, or for any partial league to be formed capable of defying the Federation as a whole.

How, indeed, could such a league be formed? Between the more powerful of the Confederates? We have already proved that such a league could never last; and with the list before us, it is easy enough to see that it could never be reconciled with the traditional policy of any of the great Powers, or with the interests inherent in their respective positions. Between a large State and a number of small ones? Then the other large States, with the Federation behind them, will crush such a league in no time; and it is clear that the Grand Alliance, being perpetually armed and concerted for action, will find no difficulty in forestalling and crushing in advance any partial and seditious alliance, likely to trouble the peace and the public order of Europe. Look at the cohesion of the Germanic Body: and that, in spite of its defective discipline and the glaring inequality of its members. Is there a single prince, not even excepting the most powerful, who would dare to expose himself to the ban of the Empire by openly defying its laws, unless indeed he had good reason to suppose that the Empire would never have the courage to take action against the culprit in good earnest?

That is why I regard it as proved that the Diet of Europe, once established, will have no rebellion to fear and that no abuses which may creep in are

ever likely to defeat the aims with which it was founded. It remains to ask whether those aims are really secured by the proposed Federation.

With a view to answering this question, let us consider the motives by which princes are commonly led to take up arms. These motives are: either to make conquests, or to protect themselves from aggression, or to weaken a too powerful neighbour, or to maintain their rights against attack, or to settle a difference which has defied friendly negotiation, or, lastly, to fulfil some treaty obligation. There is no cause or pretext of war which cannot be brought under one or other of these six heads; and it is manifest that not one of the six is left standing under the new order which I propose.

As for the first, the thought of conquests will have to be given up from the absolute impossibility of making them. The aggressor is sure to find his way barred by forces stronger than his own; he is powerless to gain anything, and he risks the loss of all he has. At present, an ambitious prince, who wishes to extend his dominions in Europe, relies upon two weapons; he begins by securing strong allies, and then seeks to catch his enemy unawares. But, under the new conditions, no special alliance could stand for a moment before the General Alliance, which is stronger and subsists permanently; and as there is no longer any pretext for arming, no prince can do so without being at once detected, stopped and punished by the Federation always under arms.

Again, the very thing which destroys all hope of conquest relieves him at the same time from all fear of being attacked. And, under the guarantee

of all Europe, not only are his territories as strongly assured to him as the possessions of any citizen in a well-ordered community, but they are even more so than they were when he was their sole and only defender; in exactly the same proportion as the whole of Europe is stronger than any one of her princes taken singly.

Thirdly, having no more reason to fear his neighbour, neither has he any more reason for desiring to weaken him; and having no hope of success in such an enterprise, he is under no temptation to attempt it.

As for the maintenance of his rights, I begin by remarking that a whole host of pettifogging claims and obscure pretensions will be swept away at one stroke by the third Article of Federation, which settles for ever all the conflicting rights of the allied princes, on the basis of what they actually hold. By the same Article, we have a clear principle for settling all claims and pretensions which may be raised in the future: each will be decided in the Diet, as it arises. It may be added that, if my rights are attacked, I am bound to defend them by the weapon used against me. They cannot be attacked by force of arms without bringing the ban of the Diet upon the assailant. It is not by arms then that I shall have to defend them. The same may be said of injuries, wrongs and claims for damage—in short, of all the unforeseen differences which may arise between two Sovereigns. The same Power which is bound to maintain their rights is bound also to redress their grievances.

As for the last head, the question settles itself. It is clear at a glance that, having no longer any assailant to fear, I have no longer any use for

⑤ treaties of defence; and that, as no treaty can be so strong or so trustworthy as that guaranteed by the Grand Federation, any other treaty would be useless, illegitimate and consequently null and void.

For all these reasons it is impossible that the Federation, once established, can leave any seed of war between its members; impossible that our object, an abiding peace, should not be absolutely attained by the proposed system, if it were once set on foot.

② It now remains to settle the other question: that relating to the interests of the several parties concerned. For every one knows that the general interest is powerless to silence that of the individual. To prove that peace, as a general principle, is a better thing than war is to say nothing to the man who has private reasons for preferring war to peace; to shew him the means for securing a lasting peace is only to encourage him to work against them.

In truth, we shall be told: "You are taking from Sovereigns the right of doing themselves justice; that is to say, the precious right of being unjust when they please. You are taking from them the power of making themselves great at the expense of their neighbours. You are forcing them to renounce those antiquated claims whose value depends on their obscurity and which grow with every fresh growth in power; that parade of might and terror with which they love to awe the world; that pride of conquest which is the chief source of their glory. In one word, you are forcing them to be equitable and peaceful. What amends do you propose to make them for all these cruel privations?"

I do not venture to answer, with the Abbé de Saint Pierre, that the true glory of princes lies in servicing the good of the community and the happiness of their subjects, that their highest interest is to win a good name, and that such a name is awarded by the wise in exact proportion to the good which the ruler has done in the world; that the scheme of founding a lasting peace is the most lofty ever conceived and the most certain, if executed, to cover its author with undying glory; that such a scheme would not only do a greater service than any other to the people but also confer higher honour upon the Sovereign; that this is the only ideal not stained with blood, rapine, curses and tears; in a word, that the surest way for a Sovereign to raise himself above the common herd of kings is to labour for the good of the community. Let such language, which has covered the author and his projects with ridicule in all the council-chambers of Europe, be left to irresponsible declaimers. But let us never join in the cry against the arguments it embodies; and, whatever may be the truth as to the virtues of princes, let us confine ourselves to their interests.

All the Powers of Europe have rights, or claims, as against each other. These rights are, from the nature of the case, incapable of ever being finally adjusted, because there is no common and unvarying standard for judging of their merits and because they are often based upon facts which are either disputed or of doubtful interpretation. Nor are the quarrels which spring from them any more capable of being settled beyond appeal, whether in default of any recognized umpire, or because, when the chance offers, every prince goes back shamelessly upon

the cessions which have been forcibly torn from him by a stronger Power through treaties, or after an unsuccessful war. It is, therefore, a mistake to think only of the claims we have on others, and to forget those they have on us, when in reality there is no more justice on one side than the other and both are equally capable of acquiring the means for enforcing their demands. Directly fortune is taken for arbiter, actual possession acquires a value which no wise man will stake against a possible gain in the future, even where chances are equal on both sides; and the rich man who, in the hope of doubling his fortune, ventures to risk it all upon one throw is blamed by the whole world. We have shown, however, that in schemes of self-aggrandizement the chances are never equal and that, even in the present order of things, the aggressor is always bound to find his enemy stronger than himself. The inevitable conclusion is that, the more powerful having no motive for staking his possessions and the weaker no hope of gaining on the throw, both will find their advantage in renouncing what they would like to win, in order to secure what they possess.

Think of the waste of men, of money, of strength in every form; think of the exhaustion in which any State is plunged by the most successful war; compare these ravages with the profit which results: and we shall find that we commonly lose where we suppose ourselves to gain; that the conqueror, always enfeebled by the war, can only console himself with the thought that the conquered is still more enfeebled than himself. And even this advantage is more in appearance than reality; for the strength which has been gained upon our opponent has been lost against

the neutrals who, without changing themselves, are nevertheless stronger relatively to us by all the strength that we have lost.

If all kings have not yet thrown off the folly of conquests, it would seem that the wiser of them at any rate are beginning to realize that they sometimes cost more than they are worth. Without going into a thousand distinctions which would only distract us from our purpose, we may say broadly that a prince who, in extending his frontiers, loses as many of his old subjects as he gains new ones in the process only weakens himself by his aggrandizement; because, with a larger territory to defend, he has no more soldiers to defend it. Every one knows, however, that, as war is waged nowadays, the smallest part of the resultant loss of life is due to losses in the field. Certainly, that is the loss which every one sees and feels. But all the time there is taking place through the whole kingdom a loss far more serious and more irreparable than that of those who die: a loss due to those who are not born, to the increase of taxes, to the interruption of trade, to the desertion of the fields, to the neglect of their cultivation. This evil, which no one sees at first, makes itself felt cruelly in the end. And then the king is astonished to find himself so weak, as the result of making himself so strong.

There is another thing which makes conquests even less profitable than they used to be. It is that kings have at last learned the secret of doubling or trebling their power not only without enlarging their territory but even, it may be, by contracting it, after the wise example of Hadrian. The secret is that the strength of kings lies only in that of their

subjects; and it follows from what I have just said that, given two States supporting an equal number of inhabitants, that which covers the smaller extent of territory is in reality the more powerful. It is then by good laws, by a wise discipline, by large views on economic policy that a sagacious sovereign is sure of increasing his power without incurring any hazard. It is in carrying out works more useful than his neighbours' that he makes conquests—the only true conquests—at their expense; and every subject born to him in excess of theirs is another enemy killed.

It may be objected that I prove too much and that, if the matter were as I put it, every one being manifestly interested in avoiding war and the public interest combining with that of individuals for the preservation of peace, that peace ought to come of itself and of itself last for ever without any need of Federation. Given the present state of things, however, that would be to reason very ill. It is quite true that it would be much better for all men to remain always at peace. But so long as there is no security for this, every one, having no guarantee that he can avoid war, is anxious to begin it at the moment which suits his own interest and so forestall a neighbour, who would not fail to forestall the attack in his turn at any moment favourable to himself, so that many wars, even offensive wars, are rather in the nature of unjust precautions for the protection of the assailant's own possessions than a device for seizing those of others. However salutary it may be in theory to obey the dictates of public spirit, it is certain that, politically and even morally, those dictates are liable to prove fatal to

the man who persists in observing them with all the world when no one thinks of observing them towards him.

I have nothing to say on the question of military parade because, when supported by no solid foundation either of hope or fear, such parade is mere child's play, and kings have no business to keep dolls. I am equally silent as to the glory of conquest because, if there really were men who would break their hearts at the thought of having no one to massacre, our duty would be not to reason with such monsters but to deprive them of all means for putting their murderous frenzy into act. All solid grounds of war being swept away by the third Article, no king can have any motive for kindling its horrors against a rival which would not furnish that rival with equally strong grounds for kindling them against him. And it is a great gain to be delivered from a danger in which each finds himself alone against the world.

As for the dependence of all upon the Tribunal of Europe, it is abundantly clear by the same Article that the rights of sovereignty, so far from being weakened, will, on the contrary, be strengthened and confirmed. For that Article guarantees to each Sovereign not only that his dominions shall be protected against foreign invasion, but also that his authority shall be upheld against the rebellion of his subjects. The prince accordingly will be none the less absolute, and his crown will be more fully assured. By submitting to the decision of the Diet in all disputes with his equals, and by surrendering the perilous right of seizing other men's possessions, he is, in fact, doing nothing more than securing

his real rights and renouncing those which are purely fictitious. Besides, there is all the difference in the world between dependence upon a rival and dependence upon a Body of which he is himself a member and of which each member in turn becomes the head. In the latter case, the pledges that are given him are really the security for his freedom: it would be forfeited if lodged with a superior; it is confirmed, when lodged with equals. In support of this, I appeal to the example of the Germanic Body. It is quite true that the constitution of this is such as to trench in many ways upon the sovereignty of its members. It is quite true that their position is consequently less favourable than it would be in the Federation of Europe. But, in spite of those drawbacks, there is not one of them, however jealous he may be of his dignity, who would choose, even if he had the power, to win absolute independence at the cost of severance from the Empire.

Observe further that the head of the Germanic Body, being permanent, is bound to usurp ceaselessly upon the rights of the other members. In the Diet of Europe, where the presidency passes from one to another without any regard to disparities of power, no such danger is to be feared.

There is yet another consideration which is likely to weigh even more with men so greedy of money as princes always are. Not only will an unbroken peace give them, as well as their subjects, every means of amassing abundant riches; they will also be spared vast expenses by the reduction of their military budget, of those innumerable fortresses, of those enormous armies, which swallow up their revenue and become daily more and more of a

burden to their subjects and themselves. I know that it will not suit all Sovereigns to suppress their army bodily and leave themselves with no force in hand to crush an unexpected revolt or repel a sudden invasion. I know also that they will have their contingent to furnish to the Federation with a view both to guarding the frontiers of Europe and to maintaining the federal army whose duty it will be, in case of need, to carry out the decrees of the Diet. But when all these charges are met and, at the same time, the extraordinary expenses of war suppressed for ever, there will still be a saving of more than half the ordinary military budget; and that saving can be divided between the relief of the subject and the coffers of the prince. The result will be that the people will have to pay much less; that the prince, being much better off, will be in a position to encourage commerce, agriculture and the arts and to create useful foundations which will still further increase his subjects' riches and his own; and, over and above all this, that the State will enjoy a security far greater than it now draws from all its armies and from all that warlike parade which drains its strength in the very bosom of peace.

It will be said perhaps that the frontier countries of Europe will then be relatively worse off, since they will still have to face the chance of war either with the Turk, or the African Corsairs, or the Tartars.

The answer to this is (1) that those countries are under the same necessity at present, from which it follows that they will not be put to any positive disadvantage, but will only have an advantage the

less; and this, in fact, is an inevitable consequence of their geographical position; (2) that, being freed from all anxiety on the side of Europe, they will be much more capable of resisting attacks from other quarters; (3) that the suppression of all fortresses in the inner parts of Europe and of all expenses needed for their maintenance would enable the Federation to build a large number on the eastern frontiers without bringing any fresh charge upon its members; (4) that these fortresses, built, maintained and garrisoned at the common charge, will mean so many fresh guarantees, and so much expense saved to the frontier Powers for whose benefit they are built; (5) that the troops of the Federation, posted on the frontiers of Europe, will stand permanently ready to drive back the invader; (6) and finally, that a Body so formidable as the Commonwealth of Europe will make the foreigner think twice before attacking any of its members: just as the Germanic Body, though infinitely less powerful, is still strong enough to command the respect of its neighbours and offer valuable protection to all the princes who compose it.

It may be further objected that, when the nations of Europe have ceased to war among themselves, the art of war will be gradually forgotten, that her armies will lose their courage and discipline, that there will be no more soldiers or generals, and that Europe will lie at the mercy of the first comer.

My answer is that one of two things will happen. Either the neighbours of Europe will attack her and wage war against her; or they will be afraid of the Federation and leave her in peace.

In the former case, there will be plenty of opportunities of training military genius and talent, for

practising and hardening our troops. The armies of the Federation will, in this way, be the school of Europe. Men will go to the frontiers to learn war, while in the heart of Europe there will reign the blessings of peace. The advantages of war and peace will be combined. Does any one believe that no nation can become warlike without perpetual civil war? And are the French the less brave because Anjou and Touraine are not constantly fighting with each other?

In the latter case, it is true that there can be no more hardening for war. But neither will there be any more need for it. Of what use would it be to train for war, when you have no intention of ever making it? And which is the better course—to cultivate a pernicious art, or to destroy the need of it for ever? If the secret of perpetual health were discovered, would there be any sense in rejecting it, on the ground that doctors must not be deprived of the chance of gaining experience? And in making this parallel we have still to ask which of the two arts is the more beneficent in itself and the more deserving of encouragement.

Let no one threaten us with a sudden invasion. It is perfectly obvious that Europe has no invader to fear, and that the 'first comer' will never come. The day of those barbarian irruptions, which seemed to fall from the clouds, is gone for ever. Now that the whole surface of the earth lies bare to our scrutiny, no danger can reach us which we have not foreseen for years. There is no Power in the world now capable of threatening all Europe; and if one ever appears, Europe will either have time to make ready or, at the worst, will be much more

capable of resisting him when she is united in one corporate body than she is now, when she would have to put a sudden end to all her quarrels and league herself in haste against the common invader.

We have thus seen that all the alleged evils of Federation, when duly weighed, come to nothing. I now ask whether any one in the world would dare to say as much of those which flow from the recognized method of settling disputes between one prince and another—the appeal to the sword: a method inseparable from the state of anarchy and war, which necessarily springs from the absolute independence conceded to all Sovereigns under the imperfect conditions now prevailing in Europe. In order to put the reader in a better position to estimate these evils, I will give a short summary of them and leave him to judge of their significance.

(1) The existence of no solid right, except that of the stronger. (2) The perpetual and inevitable shifting of the balance from nation to nation, which makes it impossible for any one of them to keep in its grasp the power it holds at any moment. (3) The absence of complete security for any nation, so long as its neighbours are not subdued or annihilated. (4) The impossibility of annihilating them, in view of the fact that, directly one is conquered, another springs up in its place. (5) The necessity of endless precautions and expenses to keep guard against possible enemies. (6) Weakness, and consequent exposure to attack, during minorities or revolts; for, when the State is divided, who can support one faction against the other? (7) The absence of any guarantee for international agree-

ments. (8) The impossibility of obtaining justice from others without enormous cost and loss, which even so do not always obtain it, while the object in dispute is seldom worth the price. (9) The invariable risk of the prince's possessions, and sometimes of his life, in the quest of his rights. (10) The necessity of taking part against his will in the quarrels of his neighbours and of engaging in war at the moment when he would least have chosen it. (11) The stoppage of trade and revenue at the moment when they are most indispensable. (12) The perpetual dangers threatened by a powerful neighbour, if the prince is weak, and by an armed alliance, if he is strong. (13) Finally, the uselessness of prudence, when everything is left to chance; the perpetual impoverishment of nations; the enfeeblement of the State alike in victory and defeat; and the total inability of the prince ever to establish good government, ever to count upon his own possessions, ever to secure happiness either for himself or for his subjects.

In the same way, let us sum up the advantages which the arbitration of Europe would confer upon the princes who agree to it.

1. Absolute certainty that all their disputes, present and future, will always be settled without war: a certainty incomparably more useful to princes than total immunity from lawsuits to the individual.

2. The abolition, either total or nearly so, of matters of dispute, thanks to the extinction of all existing claims—a boon which, in itself, will make up for all the prince renounces and secure what he possesses.

3. An absolute and indefeasible guarantee not only for the persons of the prince and his family, but also for his dominions and the law of succession recognized by the custom of each province: and this, not only against the ambition of unjust and grasping claimants, but also against the rebellion of his subjects.

4. Absolute security for the execution of all engagements between princes, under the guarantee of the Commonwealth of Europe.

5. Perfect freedom of trade for all time whether between State and State, or between any of them and the more distant regions of the earth.

6. The total suppression for all time of extraordinary military expenses incurred by land and sea in time of war, and a considerable reduction of the corresponding ordinary expenses in time of peace.

7. A notable increase of population and agriculture, of the public wealth and the revenues of the prince.

8. An open door for all useful foundations, calculated to increase the power and glory of the Sovereign, the public wealth and the happiness of the subject.

As I have already said, I leave it to the reader to weigh all these points and to make his own comparison between the state of peace which results from Federation and the state of war which follows from the present anarchy of Europe.

If our reasoning has been sound in the exposition of this Project, it has been proved: firstly, that the establishment of a lasting peace depends solely upon the consent of the Sovereigns concerned and offers no obstacle except what may be expected from their

opposition; secondly, that the establishment of such a peace would be profitable to them in all manner of ways, and that, even from their point of view, there is no comparison between its drawbacks and advantages; thirdly, that it is reasonable to expect their decision in this matter will coincide with their plain interest; and lastly, that such a peace, once established on the proposed basis, will be solid and lasting and will completely fulfil the purpose with which it was concluded.

This is not, of course, to say that the Sovereigns will adopt this project—who can answer for the reason of another?—but only that they would adopt it, if they took counsel of their true interest. It must be observed that we have not assumed men such as they ought to be, good, generous, disinterested and devoted to the public good from motives of pure humanity; but such as they are, unjust, grasping and setting their own interest above all things. All that I do assume in them is understanding enough to see their own interest, and courage enough to act for their own happiness. If, in spite of all this, the project remains unrealized, that is not because it is Utopian; it is because men are crazy, and because to be sane in a world of madmen is in itself a kind of madness.

II

ROUSSEAU'S CRITICISM OF SAINT PIERRE'S PROJECT

The scheme of a lasting peace was of all others the most worthy to fascinate a man of high principle. Of all those which engaged the Abbé de Saint Pierre,

it was therefore that over which he brooded the longest and followed up with the greatest obstinacy. It is indeed hard to give any other name to the missionary zeal which never failed him in this enterprise: and that, in spite of the manifest impossibility of success, the ridicule which he brought upon himself day by day and the rebuffs which he had continually to endure. It would seem that his well-balanced spirit, intent solely on the public good, led him to measure his devotion to a cause purely by its utility, never letting himself be daunted by difficulties, never thinking of his own personal interest.

If ever moral truth were demonstrated, I should say it is the utility, national no less than international, of this project. The advantages which its realization would bring to each prince, to each nation, to the whole of Europe, are immense, manifest, incontestable; and nothing could be more solid or more precise than the arguments which the author employs to prove them. Realize his Commonwealth of Europe for a single day, and you may be sure it will last for ever; so fully would experience convince men that their own gain is to be found in the good of all. For all that, the very princes who would defend it with all their might, if it once existed, would resist with all their might any proposal for its creation; they will as infallibly throw obstacles in the way of its establishment as they would in the way of its abolition. Accordingly Saint Pierre's book on *A Lasting Peace* seems to be ineffectual for founding it and unnecessary for maintaining it. "It is then an empty dream" will be the verdict of the impatient reader. No: it is a work of solid

judgment, and it is of the last importance for us to possess it.

Let us begin by examining the criticisms of those who judge of reasons not by reason, but by the event, and who have no objection to bring against the scheme except that it has never been put in practice. Well, such men will doubtless say, if its advantages are so certain, why is it that the Sovereigns of Europe have never adopted it? Why do they ignore their own interest, if that interest is demonstrated so clearly? Do we see them reject any other means of increasing their revenue and their power? And, if this means were as efficacious as you pretend, is it conceivable that they should be less eager to try it than any of the schemes they have pursued for all these centuries? that they should prefer a thousand delusive expedients to so evident an advantage?

Yes, without doubt, that is conceivable; unless it be assumed that their wisdom is equal to their ambition, and that the more keenly they desire their own interest, the more clearly do they see it. The truth is that the severest penalty of excessive self-love is that it always defeats itself, that the keener the passion the more certain it is to be cheated of its goal. Let us distinguish then, in politics as in morals, between real and apparent interest. The former would be secured by an abiding peace; that is demonstrated in the *Project*. The latter is to be found in the state of absolute independence which frees Sovereigns from the reign of Law only to put them under that of chance. They are, in fact, like a madcap pilot who, to show off his idle skill and his power over his sailors, would rather toss to and

fro among the rocks in a storm than moor his vessel at anchor in safety.

The whole life of kings, or of those on whom they shuffle off their duties, is devoted solely to two objects: to extend their rule beyond their frontiers and to make it more absolute within them. Any other purpose they may have is either subservient to one of these aims, or merely a pretext for attaining them. Such pretexts are "the good of the community," "the happiness of their subjects," or "the glory of the nation": phrases for ever banished from the council chamber, and employed so clumsily in proclamations that they are always taken as warnings of coming misery and that the people groans with apprehension when its masters speak to it of their "fatherly solicitude."

From these two fundamental maxims we can easily judge of the spirit in which princes are likely to receive a proposal which runs directly counter to the one and is hardly more favourable to the other. Any one can see that the establishment of the Diet of Europe will fix the constitution of each State as inexorably as its frontiers; that it is impossible to guarantee the prince against the rebellion of his subjects without at the same time securing the subjects against the tyranny of the prince; and that, without this, the Federation could not possibly endure. And I ask whether there is in the whole world a single Sovereign who, finding himself thus bridled for ever in his most cherished designs, would endure without indignation the very thought of seeing himself forced to be just not only with the foreigner, but even with his own subjects?

Again, any one can understand that war and

conquest without and the encroachments of despotism within give each other mutual support; that money and men are habitually taken at pleasure from a people of slaves, to bring others beneath the same yoke; and that conversely war furnishes a pretext for exactions of money and another, no less plausible, for keeping large armies constantly on foot, to hold the people in awe. In a word, any one can see that aggressive princes wage war at least as much on their subjects as on their enemies, and that the conquering nation is left no better off than the conquered. "I have beaten the Romans," so Hannibal used to write to Carthage, "send me more troops. I have exacted an indemnity from Italy, send me more money." That is the real meaning of the *Te Deums*, the bonfires and rejoicings with which the people hail the triumphs of their masters. ✓

As for disputes between prince and prince, is it reasonable to hope that we can force before a higher tribunal men who boast that they hold their power only by the sword, and who bring in the name of God solely because He "is in heaven"? Will Sovereigns ever submit their quarrels to legal arbitration, when all the rigour of the laws has never succeeded in forcing private individuals to admit the principle in theirs? A private gentleman with a grievance is too proud to carry his case before the Court of the Marshals of France; and you expect a king to carry his claims before the Diet of Europe? Not to mention that the former offends against the laws, so risking his life twice over, while the latter seldom risks anything but the life of his subjects; and that, in taking up arms, he avails himself of a right recognized by all the world—a right for the

use of which he claims to be accountable to God alone.

A prince who stakes his cause on the hazards of war knows well enough that he is running risks. But he is less struck with the risks than with the gains on which he reckons, because he is much less afraid of fortune than he is confident in his own wisdom. If he is strong, he counts upon his armies; if weak, upon his allies. Sometimes he finds it useful to purge ill humours, to weaken restive subjects, even to sustain reverses; and the wily statesman knows how to draw profit even from his own defeats. I trust it will be remembered that it is not I who reason in this fashion, but the court sophist, who would rather have a large territory with few subjects, poor and submissive, than that unshaken rule over the hearts of a happy and prosperous people, which is the reward of a prince who observes justice and obeys the laws.

It is on the same principle that he meets in his own mind the argument drawn from the interruption of commerce, from the loss of life, from the financial confusion and the real loss which result from an unprofitable conquest. It is a great miscalculation always to estimate the losses and gains of princes in terms of money; the degree of power they aim at is not to be reckoned by the millions in their coffers. The prince always makes his schemes rotate: he seeks to command in order to enrich himself, and to enrich himself in order to command. He is ready by turns to sacrifice the one aim to the other, with a view to obtaining whichever of the two is most wanting at the moment. But it is only in the hope of winning them both in the

long run that he pursues each of them apart. If he is to be master both of men and things, he must have empire and money at the same time.

Let us add finally that, though the advantages resulting to commerce from a general and lasting peace are in themselves certain and indisputable, still, being common to all States, they will be appreciated by none. For such advantages make themselves felt only by contrast, and he who wishes to increase his relative power is bound to seek only such gains as are exclusive.

So it is that, ceaselessly deluded by appearances, princes would have nothing to do with peace on these terms, even if they calculated their interests for themselves. How will it be, when the calculation is made for them by their ministers, whose interests are always opposed to those of the people and almost always to the prince's? Ministers are in perpetual need of war, as a means of making themselves indispensable to their master, of throwing him into difficulties from which he cannot escape without their aid, of ruining the State, if things come to the worst, as the price of keeping their own office. They are in need of it, as a means of oppressing the people on the plea of national necessity, of finding places for their creatures, of rigging the market and setting up a thousand odious monopolies. They are in need of it, as a means of gratifying their passions and driving their rivals out of favour. They are in need of it, as a means of controlling the prince and withdrawing him from court whenever a dangerous plot is formed against their power. With a lasting peace, all these resources would be gone. And the world still persists in

asking why, if such a scheme is practicable, these men have not adopted it. Is it not obvious that there is nothing impracticable about it, except its adoption by these men? What then will they do to oppose it? What they have always done: they will turn it into ridicule.

Again, even given the good will that we shall never find either in princes or their ministers, we are not to assume, with the Abbé de Saint Pierre, that it would be easy to find the right moment for putting the project into act. For this, it would be essential that all the private interests concerned, taken together, should not be stronger than the general interest, and that every one should believe himself to see in the good of all the highest good to which he can aspire for himself. But this requires a concurrence of wisdom in so many heads, a fortuitous concourse of so many interests, such as chance can hardly be expected ever to bring about. But, in default of such spontaneous agreement, the one thing left is force; and then the question is no longer to persuade but to compel, not to write books but to raise armies.

Accordingly, though the scheme in itself was wise enough, the means proposed for its execution betray the simplicity of the author. He fairly supposed that nothing was needed but to convoke a Congress and lay the Articles before it; that they would be signed directly and all be over on the spot. It must be admitted that, in all his projects, this good man saw clearly enough how things would work, when once set going, but that he judged like a child of the means for setting them in motion.

To prove that the project of the Christian

Commonwealth is not Utopian, I need do no more than name its original author. For no one will say that Henry IV was a madman, or Sully a dreamer. The Abbé de Saint Pierre took refuge behind these great names, to revive their policy. But what a difference in the time, the circumstances, the scheme itself, the manner of bringing it forward, and, above all, in its author!

To judge of this, let us glance at the state of Europe as it was at the moment which Henry chose for the execution of his project.

The power of Charles V, who reigned over one half of the world and struck awe into the other, had led him to aspire to universal empire, with great chances of success and great talents for making use of them. His son, more rich and less powerful, never ceased to nurse a design which he was incapable of carrying out, and throughout his reign kept Europe in a state of perpetual alarm. In truth, the House of Austria had acquired such an ascendancy over the other Powers that no prince was safe upon his throne, unless he stood well with the Hapsburgs. Philip III, with even fewer talents, inherited all his father's pretensions. Europe was still held in awe by the power of Spain, which continued to dominate the others rather by long habit of commanding than from any power to make herself obeyed. In truth, the revolt of the Low Countries, the struggle against England, the long drain of the civil wars in France had exhausted the strength of Spain and the riches of the Indies. The House of Austria, now divided into two branches, had ceased to act with the same unity; and the Emperor, although he strained every nerve to maintain or recover the authority of

Charles V, only succeeded in affronting the lesser princes and provoking conspiracies which speedily broke out and came near to costing him his throne. Such were the slow stages which prepared the fall of the House of Austria and the new birth of the liberties of Europe. No one, however, had the courage to be the first to risk throwing off the yoke and exposing himself alone to the dangers of war; the example of Henry himself, who had come so ill out of the enterprise, damped the courage of all the rest. Moreover, if we except the Duke of Savoy, who was too weak and too much under the curb to move a step, there was not among all the Sovereigns of the time a single one of ability enough to form and carry through such an enterprise; each one of them waited on time and circumstances for the moment to break his chains. Such, in rough outline, was the state of things at the time when Henry formed the plan of the Christian Commonwealth and prepared to put it in act. The project was vast indeed and, in itself, quite beyond praise. I have no wish to dim its glory. But, prompted as it was by the secret hope of humbling a formidable enemy, it took from this urgent motive an impulse which could hardly have come from humanity alone.

Let us now see what were the means employed by this great man to pave the way for so lofty an undertaking. In the front rank of these I should be disposed to put that he had clearly recognized all the difficulties of the task; so that, having formed the project in his youth, he brooded over it all his life and reserved its accomplishment for his old age. This proves in the first place that ardent and sustained passion by which alone great obstacles can

be overcome; and secondly, that patient and considerate wisdom which smoothes the way in advance by forethought and calculation. For there is a great difference between an enforced undertaking, in which prudence itself counsels to leave something to chance, and one which is to be justified only by success; seeing that, being under no compulsion to engage in it, we ought never to have attempted it unless that success were beyond doubt. Again, the deep secrecy which he maintained all his life, until the very moment of action, was as essential as it was difficult in so vast an enterprise, where the concurrence of so many men was a necessity and which so many men were interested in thwarting. It would seem that, though he had drawn the greater part of Europe to his side and was in league with her chief potentates, there was only one man to whom he had confided the full extent of his design; and, by a boon granted by heaven only to the best of kings, that one man was an honest minister. But, though nothing was allowed to transpire of these high aims, everything was silently moving towards their execution. Twice over did Sully make the journey to London: James I was a party to the plan, and the King of Sweden had fallen in with it. A league was made with the Protestants of Germany; even the princes of Italy had been secured. All were ready to join in the great purpose, though none could say what it was; just as workmen are employed in making the separate parts of a new machine, of whose shape and use they know nothing. What was it then that set all these springs in motion? Was it the craving for a lasting peace, which was foreseen by no one and with which few would have

troubled their heads? Was it the public interest, which is never the interest of any one? The Abbé de Saint Pierre might have supposed so. But the truth is that each of them was working for his own private interest which Henry had been clever enough to display to all of them in the most attractive light. The King of England was glad to deliver himself from the perpetual conspiracies of his Catholic subjects, all of them fomented by Spain. He found a further advantage in the liberation of the United Provinces, in whose support he was spending large sums, while every moment he was placed on the brink of a war which he dreaded, or in which he preferred to join once for all with the whole of Europe and then be quit of it for ever. The King of Sweden was anxious to make sure of Pomerania, and so win a footing in Germany. The Elector Palatine, at that time a Protestant and head of the Lutheran Confession, had designs on Bohemia, and shared all the plans of the King of England. The Princes of Germany aimed at checking the encroachments of the House of Austria. The Duke of Savoy was to receive Milan and the crown of Lombardy, which he passionately coveted. The Pope himself, weary of the Spanish tyranny, was in the league, bribed by the promise of the Kingdom of Naples. The Dutch, better paid than all the rest, gained the assurance of their freedom. In a word, quite apart from the common interest of humbling a haughty Power which was striving to tyrannize over all of them, each State had a private interest all the more keenly felt because it was not countered by the fear of exchanging one tyrant for another. It was agreed that the conquests should be distributed

among all the Allies to the exclusion of France and England, who were bound to keep nothing for themselves. This was enough to quiet the most suspicious as to the ambitions of Henry. But that wise prince was well aware that in keeping nothing for himself by this treaty, he gained more than all the rest. Without adding a yard to his own patrimony, it was enough to partition that of the only man who excelled him in power, and he became the most powerful himself. And it is perfectly clear that, in taking all the precautions which would assure the success of his enterprise, he in no wise neglected those which were sure to give him the first place in the Body he was creating.

More than that: he did not confine himself to forming formidable leagues beyond his frontiers, to making alliances with his own neighbours and the neighbours of his enemy. While engaging all these nations in the abasement of the first Power in Europe, he did not forget to put himself in the way of securing the coveted position for himself. He spent fifteen years of peace in preparations worthy of the enterprise he had in mind. He filled his coffers with money, his arsenals with artillery, arms, and munitions. He amassed resources of all kinds against unforeseen demands. But he did more than all, we may be very sure, by governing his people wisely, by silently removing all seeds of division, by putting his finances in such order as to meet all possible needs without any vexation of his subjects. So it was that, at peace within and formidable abroad, he saw himself in a position to arm and maintain sixty thousand men and twenty vessels of war, to quit his kingdom without leaving behind

him the smallest germ of disorder and to carry on war for six years without touching his ordinary revenue or laying on a penny of new taxes.

To all these preparations must be added the assurance that the enterprise would be carried out, both by his minister and himself, with the same energy and prudence that had conceived and framed it. And, finally, the knowledge that all the military operations would be directed by a captain of his skill, while the enemy had none left to put against him. From all this it may be judged if any element which could promise success was wanting to his prospects. Without having fathomed his designs, all Europe was watching his preparations with a kind of awe. The great revolution was about to be launched on a slight pretext. A war, destined to be the end of all wars, was about to usher in eternal peace, when a deed, the horror of which is only increased by its mystery, came to quench for ever the last hope of the world. The blow which cut short the days of this good king, also plunged Europe back into ceaseless wars, of which she can now never hope to see the end.

Such were the means prepared by Henry IV for founding the Federation which the Abbé de Saint Pierre proposed to set up by a book.

Let us not say, then, that, if his system has not been adopted, that is because it was not good. Let us rather say that it was too good to be adopted. Evils and abuses, by which so many men profit, come in of themselves. Things of public utility, on the other hand, are seldom brought in but by force, for the simple reason that private interests are almost always ranged against them. Beyond doubt, a

lasting peace is, under present circumstances, a project ridiculous enough. But give us back Henry IV and Sully, and it will become once more a reasonable proposal. Or rather, while we admire so fair a project, let us console ourselves for its failure by the thought that it could only have been carried out by violent means from which humanity must needs shrink.

No Federation could ever be established except by a revolution. That being so, which of us would dare to say whether the League of Europe is a thing more to be desired or feared? It would perhaps do more harm in a moment than it would guard against for ages.

CHAPTER VIII

KANT'S PERPETUAL PEACE

DURING the sixteenth and seventeenth centuries there was a large emigration of Scottish folk into East and West Prussia, on the shores of the Baltic Sea. These remote German Provinces were, for Scotland, the Australia and Canada of the period. Many Scottish officers helped the Teutonic Knights, an Order of chivalry formed in 1191, in Palestine, during the Crusades. The Knights removed to Venice, and then went in 1231 to East Prussia, and began the conquest and conversion to Christianity of the heathen Prussians. The Knights were defeated by the Poles in 1410 at Tannenberg, and again in 1457: afterwards the Grand Master retired to Königsberg, held the province as a fief from Poland, and his descendants became the Dukes of East Prussia. The Elector Frederick of Brandenburg, by marrying the daughter of the reigning Duke in 1605, gained possession of East Prussia, which was divided from Brandenburg by the Vistula Province of Poland. So at that time, and in Kant's early days, East Prussia was an isolated Province, surrounded by non-Teutonic peoples—Russia to the East, and Poland on the West and South. The Teutonic Knights became great landowners: many of their descendants are the Junkers of modern Prussia,

that is, conservative landowners. They converted the original inhabitants into serfs—a doubtful form of chivalrous Christianity.

Many of the Scottish officers received Polish or German titles, and settled in the country. One of these officers was Marshal Keith, who became a famous General of Frederick the Great. His brother, George Keith, while governor of Neuchâtel, was also Rousseau's friend. The poorer Scottish emigrants were pedlars; they married Prussian women, and settled in the towns. From one of these poorer emigrants, it would seem, descended the father of Immanuel Kant. In a letter to the Swedish Bishop, Lindblom, Kant wrote:—"It is very well known to me that my grandfather, who was a citizen of the Prusso-Lithuanian town of Tilsit, came originally from Scotland."

Immanuel Kant was born in Königsberg in 1724. His parents were poor, honest, and Pietists; his father worked as a leather-cutter. Kant was one of a family of eleven children, six of whom died young. There must have been a bitter struggle in this poor household, where white bread was a luxury, to provide food, clothing, and education for the children. Kant went to the High School at Königsberg for eight years, and then to the University, where he maintained himself by teaching. From 1746 to 1755 he was a tutor in the families of pastors and landowners, who lived near the borders of Russia and Poland. Very little is known about this period of his life, except that the treatment of the serfs he witnessed made him later joyfully welcome Rousseau's ideas. In 1755 he returned to Königsberg, took his

degree of Doctor of Philosophy, and began to teach in the University as Docent—a post where the teacher has no fixed salary, but is dependent on fees from his pupils. He was always poor. Even when fifteen years later, he became Professor of Logic and Metaphysics, he had a salary of only £90. Except for visits to his friends in the country, he never afterwards left Königsberg, and during his whole life never went outside the province. But he was a great reader of voyages and travels, and knew English literature well.

As a teacher, Kant endeared himself to his pupils. Herder remarks that “he encouraged and gently compelled his hearers to think for themselves: despotism was foreign to his disposition.” And further that “his open thoughtful brow was the seat of unfailing cheerfulness and joy; the profoundest language fell from his lips; jest, wit, humour, stood at his command; and his instructive address was like a most entertaining conversation.” In Königsberg society there was an intellectual circle, where he became a noted conversationalist. He had a weak and defective physical organism but an indomitable spirit. He never married. In 1783 he purchased a small house (which is still to be seen) where he pursued his studies, and found sufficient diversion in entertaining a friend to dinner frequently. He was fastidious in dress, and had, we are told, “French manners.”

Heine draws this well-known picture of the quaint eighteenth century scholar and philosopher:—“The life of Immanuel Kant is hard to describe: he had, indeed, neither life nor history in the proper sense of the words. He lived an abstract, mechanical, old-

bachelor existence in a quiet, remote street of Königsberg, an old city at the north-eastern boundary of Germany. I do not believe that the great cathedral clock of that city accomplished its day's work in a less passionate and more regular way than its countryman, Immanuel Kant. Rising from bed, coffee-drinking, writing, lecturing, eating, walking, everything had its fixed time; and the neighbours knew that it must be exactly half-past four when they saw Professor Kant in his grey coat, with his cane in his hand, step out of his house door, and move towards the little lime tree avenue which is called after him, 'the Philosopher's Walk.' Eight times he walked up and down that walk at every season of the year, and when the weather was bad or the grey clouds threatened rain, his servant, old Lampe, was seen anxiously following him with a large umbrella under his arm like an image of Providence. Strange contrast between the outer life of the man and his world-destroying thought. Of a truth, if the citizens of Königsberg had had any inkling of the meaning of that thought, they would have shuddered before him, as before an executioner. But the good people saw nothing in him but a professor of philosophy, and when he passed at the appointed hour, they gave him friendly greetings and set their watches."

Königsberg was the chief German port — probably, in those days, a larger city than Berlin. It was at Königsberg that Frederick of Brandenburg, in 1701, had himself crowned King of Prussia. It is true that the political thought of Kant, when carried out, will end the autocratic power and militarist ideals of the Hohenzollerns. Kant taught

the supremacy of Right over Might, and the necessity for political equality and representative government. In that sense, the citizens of Königsberg might well have been astonished, had they known the power of their quiet philosopher's thoughts. It is a remarkable coincidence that in Königsberg the first King of Prussia had himself crowned, and from the same city came, in Kant's ideas, the political philosophy that will end the autocratic power of the Hohenzollerns. But it has required a European war to convince the Hohenzollerns of the inevitable supremacy of these primary principles.

When Kant was about forty years old, he began his serious philosophical work. He was roused to think by Newton and Hume. Kant rebelled from Hume's rationalism and scepticism, and asked "What *can* I know?" The result was his *Critical Philosophy*. In 1763 he published several important essays, and from 1781 there was a continuous literary production. He was, observes Professor Caird, "a slow, deep-mining thinker."* When he was fifty-seven years old, he published, in 1781, his first great work—"The Critique of Pure Reason." He wished to make philosophy not dogmatic, but critical, and he was a scientist as well as a metaphysician.† In 1788, he published "The Critique of Practical Reason," and later "The Critique of the Faculty of Judgment." These works and others written during this period made an epoch in philosophy. It seemed to many that Kant had achieved in the world of

* E. Caird, D.C.L., LL.D. "The Critical Philosophy of I. Kant," vol. I, p. 50.

† "No great philosophical thinker was ever more entirely at home with the phenomena and laws of empirical science than I. Kant," writes Hastie.—Kant's "Principles of Politics," p. 11.

thought what the French Revolution had achieved in politics. He called upon the human reason to examine itself before proceeding to further thought. "Since Kant," writes Professor Caird, "a modern philosophy may not be Kantian, but it must have gone through the fire of Kantian criticism, or it will almost necessarily be something of an anachronism. . . . With the exception of Goethe, who worked in another field, Kant was the most potent of all the agents in the transition from the ideas of the eighteenth to those of the nineteenth century. . . . The Critical Philosophy is not a product of the mere study of books: it is the work of one who was alive to the spirit of the time, and who reproduced in his thought the great movement for the liberation of humanity which he saw going on without him. We may even say, without much exaggeration, that in Kant's philosophy the reason or principle of that movement was first brought to light."*

Kant's Critiques were the greatest attempt yet made in the world of philosophy to carry out the legend inscribed on the old Greek temple at Delphi—"Know Thyself." The little Königsberg eighteenth century philosopher was the Socrates of modern thought. In his preface to "The Critique of Pure Reason," Kant refers to the "old rotten dogmatism" which he so valiantly set out to vanquish, and he wrote: "Our age is, in every sense of the word, the age of criticism, and everything must submit to it. Religion, on the strength of its sanctity, and law, on the strength of its majesty, try to withdraw themselves from it; but by so doing they arouse just suspicions, and cannot claim that

* Caird. *Op. cit.*, vol. I, p. 42.

sincere respect which reason pays to those only who have been able to stand its free and open examination." The age of criticism is not yet at an end; it is developing in every direction in the twentieth century!

During Kant's earlier phase of thought he was much influenced by Newton. During his second period, he owed a great stimulus to Hume. During his third period he was much influenced by Rousseau.* The only time that he forgot to take his daily walk in the lime tree avenue, was when he was absorbed in reading "*Emile*."† And the only picture in his frugal home was a portrait of Rousseau. "Rousseau has brought me to the right view," he wrote, "I have learned to honour men." The truth Kant found in Rousseau was "the Principle of Freedom as the inalienable essence of the rational will," observes Hastie he "laid the basis of a new Political Philosophy inspired and animated by the optimism of eternal hope."‡ He made politics "a definite science by clearly determining its relations to the other moral sciences, and precisely defining its subject." To Kant, as to Plato, Politics was the crown of the whole philosophical system, "the royal art," "man written large," "the highest practical wisdom. . . . Kant raised the Science of Politics to its highest dignity and importance by making it directly relative

*Kant's indebtedness to Swedenborg has only recently been seriously studied, as is shown in Sewall's preface to his translation of Kant's "Dreams of a Spirit-Seer."

† It is said that the same thing occurred during the French Revolution, when he walked out of the west gate of the city to meet the courier from Paris.

‡ Kant's "Principles of Politics," trans. by Hastie, pp. 23 and 27.

to the whole terrestrial work of Nature, the whole progressive movement of history, and the whole moral interest of man."* This most learned philosopher announced the same principle as Rousseau—that Right political action is the most important aim for mankind. When Kant was seventy-seven years old, he intended to write a "System of Politics," but had to give up the plan. His political ideas, however, may be found in his works, and in several essays, notably in the essays on "The Principle of Progress," "The Principles of Political Right," the "Natural Principle of the Political Order," and on "Perpetual Peace"—of which four essays the leading principles are given in this chapter.

In the "Principle of Progress" Kant shews that against European anarchy there is "no possible remedy but a system of International Right, founded upon public laws conjoined with power, to which every State must submit."† (The basis of a lasting Peace can never be the Balance of Power.) This theory, he states, is further to be regarded as "founded upon the nature of things, which compels movement in a direction even against the will of man";‡ and that the principle of Right in determining inter-statal relations as they *ought to be* must be followed by true statesmen, who ought "so to proceed in their disputes that such a universal International State may be introduced thereby."§ He refuses to regard it as impossible that the "practical moral Reason" can ultimately triumph

* *Op. cit.*, p. 29.

† *Op. cit.*, p. 75.

‡ *Op. cit.*, p. 76.

§ *Op. cit.*, p. 76.

over European anarchy. Human Nature is, he insists, worthy to be loved, and "what is valid on rational grounds as a Theory is also valid and good for Practice."

Kant's Principles of political right in the State are:—

1. The Liberty of every Member of the Society as a Man.
2. The Equality of every Member of the Society with every other, as a Subject.
3. The Self-Dependency of every Member of the Commonwealth as a Citizen.

These are "fundamental conditions according to which alone the institution of a State is possible, in conformity with the pure rational Principles of external Human Right generally."*

Kant's essay on "The Natural Principle of the Political Order" is a clear, philosophical exposition of the leading idea in Dante's "De Monarchia"—that it is the Divine intention that mankind shall ultimately become united in a World-State. Kant shews that the greatest practical problem for the human race, to the solution of which it is compelled by Nature, is the establishment of a civil society, universally administering Right according to Law; that this problem is the most difficult and the last to be solved by the human race; that the solution is dependent on the regulation of inter-statal relations according to Law, and without this regulation the problem cannot be solved. He asks if it is rational to recognize harmony and design in the parts of the Constitution of Nature and to deny them in the whole? Nature has used the unsociableness of

* *Op. cit.*, p. 35.

men, and even of great societies and political bodies as a means to work out through their mutual antagonism a condition of rest and security—in the organization of separate States. At last, after many devastating wars between States (as individual men fought before they submitted to the rule of Law within the State) the nations are driven forward to the goal which Reason might have taught them, perhaps, without all this sad experience. This goal ordained by Nature is the advance of States from being lawless savages to the entrance into a Federation of Nations. So Nature has brought it about that every State, including even the smallest, must rely for its safety and its rights not on its own (militarist) power or its own judgment of Right, but only on this great International Federation (*Fœdus Amphictionum*), on its combined power, and on the decision of the common will regarding inter-State affairs.* All wars are so many attempts (not in the intention of men, but according to the purpose of Nature) to bring about new relations between States, and to form new political corporations. These new organizations must pass through other Revolutions till at last by the institution of good governments and by one common convention and legislation, Perpetual Peace is gained. Before this last step is taken, the human race has to endure the hardest evils. We

* Mr. Ernest Barker observes: "Kant, it appears, had little idea of the corporate life of a national State. The free will of the individual is the core of his thought. The State he conceives as in its nature a contractual body; and far from exalting the control of the State over the individual, he emphasizes the necessary subordination of the State to the ideal of a permanent peace of Europe, and advocates a Federal League of Nations, each subject to the adjudication of the general collective will."—"Political Thought in England from Spencer to To-day," p. 26.

are cultivated and *civilized* but not *moralized*. All apparent good—such as material prosperity—that is not founded on moral good, is “mere illusion and glittering misery,” and will remain so, until States have worked their way out of this chaos. So the history of the human race, viewed as a whole, may be regarded as the realization of a hidden plan of Nature to bring about a political Constitution, internally, and, for this purpose, also externally perfect, as the only state in which all the capacities implanted by her in Mankind can be fully developed. By rational international arrangements we might hasten the coming of this happy time for our descendants. Individual liberty is increasing—“universal liberty even in Religion comes to be conceded.” The spirit of Enlightenment assists the final goal of Nature. (The growth of Arbitration is another means to the end.) So, after many political revolutions, transformations, Leagues, Alliances, and Ententes, the highest purpose of Nature will be at last realized in “the establishment of a universal Cosmopolitical* Institution, in which all the original capacities and endowments of the human species will be unfolded and developed.”†

* In “The Principles of Political Right,” Kant explains that by “cosmopolitical” he means the right of all nations to come into a peaceful Union, which is, he says, “a juridical Principle as distinguished from philanthropic or ethical principles.” *Op. cit.*, trans. by Hastie, p. 226.

† *Op. cit.*, p. 25.

Had men not excluded women from co-operation in legislation and government, this goal of Nature would probably have been reached long ago. For, as it was stated in the first chapter of this book—“The goal of the human race is surely co-operation, justice, and harmony *between woman and man*, between States, and between all races.” Particularly will women’s maternal instinct assist legislators and statesmen in a wise protection and progress of the backward races—the children of the political and social world.

Assuming that Nature does not proceed without plan and design, a philosophical history of the human race might be written, shewing how in every Age and in every Nation, the design of Nature to compel the ultimate union of mankind has been, and is being, carried out. "Such a *justification of Nature*—or rather, let us say of *Providence**—is no insignificant motive for choosing a particular point of view in contemplating the course of the world. For, what avails it, to magnify the glory and wisdom of the creation in the irrational domain of Nature, and to recommend it to devout contemplation, if that part of the great display of the supreme wisdom, which presents the End of it all in the history of the Human Race, is to be viewed as only furnishing perpetual objections to that glory and wisdom? The spectacle of History, if thus viewed, would compel us to turn away our eyes from it against our will; and the despair of ever finding a perfect rational Purpose in its movement, would reduce us to hope for it, if at all, only in another world."† But the manifestations of the Will in human actions are determined by universal natural laws, and a regular march throughout history to the goal of Nature—the unity of Mankind—may be observed.

The essay on "Perpetual Peace" was published in 1795, when the Peace of Basel had recognized the French Republic. A second edition was soon necessary. In 1815, during the Allied occupation of Paris, a French translation was published in

* Kant wrote "Nature" or "Providence" where Dante would have written "God."

† Principles of Politics, p. 27.

Paris. Kant's plan for "Perpetual Peace" is more important than Rousseau's or than any other except Dante's, because he bases it on no dynastic or imperialistic aims, but on *Right*—that is the Law of Nature, or the Law of God. And, observes Hastie, "the order of the State is none other than the growing organization of the Kingdom of God."* In fact, Kant gives practical proposals for organizing Dante's dream—the unity of mankind in a World State.

Although Kant took no part in politics—"so far as we know he never had to perform one directly political act"†—remarks Professor Caird, yet he took a profound interest in the contemporary political evolution of various countries—in the American Revolution, and in the French Revolution. Of England he heard from an English friend at Königsberg, whom he visited every week. Kant came to see that the duty of a philosopher is not only to formulate philosophical theories, which, after all, only interest the learned few, but to endeavour to help the social and political evolution of humanity. His last "secret article"—that "the opinions of philosophers with regard to conditions of the possibility of a public peace shall be taken into consideration by States armed for war"—has been called a specimen of Kant's humour. It is more than that. No doubt he meant it as an indication to philosophers that they cannot fulfil their duty to humanity if they remain absorbed in speculation in their quiet studies, and take no part in the struggles and sufferings of mankind. And just as

* Hastie. *Op. cit.*, p. 43.

† Caird. *Op. cit.*, vol. I, p. 54.

Dante, near the end of his life, wrote "De Monarchia," so Kant, as his supreme gift to mankind, after his great works on philosophy, wrote and published this essay on "the royal art"—"Perpetual Peace."

"Kant's political principles," writes Hastie, "present the most practical, progressive, and luminous lines of political thought which we yet possess . . . he has laid down principles which are still capable of solving all our political problems, for he resolves all political problems into questions of Right, for which he furnishes a universal solution."

In the explanatory note to the Definitive Article I of "Perpetual Peace"—"The civil constitution of each State shall be republican"—Kant states that the form of government is despotic or republican; and "Republicanism is the political principle of severing the executive power of the government from the legislature";* that the kind of government is of infinitely more importance to the people than the kind of constitution; it "must embody the representative system in which alone a republican form of administration is possible." Therefore, according to his definition, any true representative system may be called "republican."

The guarantee of Perpetual Peace, he states, is given by no less a power than the great artist Nature, in whose mechanical course is clearly exhibited a predetermined design to make harmony spring from human discord, even against the will

* "Perpetual Peace," trans. by Miss M. C. Smith, M.A., p. 125.

Every supporter of the idea of a League of Nations is agreed that the States joining the League must have representative government. According to Kant's definition, this will be "republican."

of man. This design is called Fate, or Providence, "as the deep-lying wisdom of a higher cause, directing itself towards the ultimate practical end of the human race, and predetermining the course of things with a view to its realization." Nature has taken care (1) that men can live in all parts of the world; (2) she has scattered them by means of war so that all parts may have population; (3) she has forced them to enter into relations more or less controlled by law. It is the irresistible will of Nature at last to get the supremacy. Nature employs two means to separate men—language and religion. She thus separates them, but also unites them by an appeal to their common interests. The commercial spirit cannot co-exist with war, and sooner or later, every nation is guided by this spirit. So Nature guarantees the coming of Perpetual Peace, through the natural course of human propensities. Thus Kant thought that economic reasons will eventually compel reasonable men to eliminate war.*

To Anglo-Saxon readers in the twentieth century, it seems, at first, strange that the great eighteenth century philosopher found it necessary to insist on the elementary principles of political equality and representative government. If, however, one considers the state of Europe in Kant's time, and particularly the state of Germany, it is not strange. With the exception of England, there was then no real representative system in any European country, until France, after the Revolution, gained a Parliament, and Russian Poland in 1815 was given a

* The Articles given by Kant in "Perpetual Peace" are so clear and simple that they require no further explanation.

constitution by Alexander I. Every monarch, with these exceptions, was a despot. Therefore it seemed, at that date, revolutionary even to propose that States should have representative government.

A map of Germany in the eighteenth century presents a remarkable appearance. It is a mosaic of small States, Kingdoms, Duchies, and Provinces. The dynastic book was larger than the peerage. There were three hundred and sixty-five States, practically independent, loosely bound together under the Austrian Emperor, as the Holy Roman Empire. In Austria there was a Diet, composed of nobles and magnates. The German Diet was a purely feudal body, composed of three Colleges; the College of eight Electors of the Holy Roman Empire, the College of Princes, Counts, Barons, and ecclesiastics, and the College of fifty Free Cities. Thus there was no true representative government in Germany. The Diet and the Emperor were the only symbols of unity, and without a reform of the constitution nothing could be done. The ghost of the Holy Roman Empire presided over this agglomeration of States, but the Empire had no imperial treasury or income. There was no national feeling. German nationality was first aroused by the victories of Frederick the Great. In 1806 the Emperor of Austria renounced the title of Holy Roman Emperor, and so the Empire, founded by Charlemagne 1006 years ago, came to an end. Napoleon had dreams of renewing the ancient dignity; he called his son King of Rome, and had himself crowned with the iron crown at Milan.

The Thirty Years' War, in the seventeenth century, terminated by the Peace of Westphalia in

1648, irretrievably ruined the Empire. It was a religious war. The Protestant Princes, under Gustavus Adolphus of Sweden, rose against the Catholic Emperor, and the Peace was a compromise. Historians relate that it took Germany two hundred years to recover from the evil effects of this war. "The political, economic, moral, and intellectual stagnation caused by the Thirty Years' War was very bad . . . and the stagnation of German literature and thought during the eighteenth century may be attributed in no small degree to the effects of this war,"* states Atkinson. Also the same writer remarks that Germany from 1648 to 1815 was "little more than a geographical expression; its history, such as it is, a history of disunion and disintegration." Frederick the Great's ambitions brought more misery to Germany—and to Poland and Silesia. During the Seven Years' War the country was ravaged, and Berlin twice occupied by the enemy. Kant witnessed the effects of this war in the Russian occupation of Königsberg from 1756 to 1763. Then came the French Revolution. Therefore Kant had good reason to devise a plan for ending wars.

We cannot suppose that Kant approved of Frederick's seizure of Silesia, and of the Vistula Province of Poland, thus depriving Poland of its chief port of Dantzic, and of any sea-coast. In the second preliminary Article, Kant states that "No State having an independent existence whether it be great or small, shall be acquired through inheritance, exchange, purchase, or donation." It is improbable

* C. T. Atkinson. "A History of Germany from 1715 to 1815," p. 63.

that he agreed with Treitschke that "Frederick the Great was the greatest King on earth." With his unflinching belief in *Right*, Kant could not admire these robberies of Poland and Silesia. In fact, Kant never considered himself to be a Prussian.

His Article III—"Standing armies shall be abolished in course of time" would, if "Perpetual Peace" had been published during Frederick's lifetime, probably have put an end to his professorship. Frederick's successor, offended by Kant's book on the philosophy of religion, ordered him not to lecture or write any more on theology, and Kant had to submit. In 1797 his lectures came to an end, and his memory began to fail. The last years of his life were passed in mental decay, and he died, aged eighty-one, in 1804.

Notwithstanding an external appearance of unity, Germany, as Treitschke admits, contains strong centrifugal forces. "In Germany as a whole the centrifugal elements are still unendingly various. One reason is the long-standing discord within the German race itself which has naturally impeded the subjugation of other nationalities. . . . Who does not know the antagonism between a Rhinelander and the Westphalian, the Bavarian and the Swabian?"* remarks Treitschke. And he declares that a State of such mixed antagonistic nationalities as modern Germany can only be governed in two ways—"by a Federative Republic in which very little business is transacted in common, as in Switzerland (where neighbours can live in peace and amity in spite of the difference of nationality), or by means of a strong despotic Govern-

* H. von Treitschke. "Politics," p. 289.

ment.”* To-day, all the world has seen the results of the latter type of government in modern Germany.

Prince von Bülow confirms Treitschke's estimate of the centrifugal power in modern Germany. He writes: "In German history national unity is the exception, and separation in various forms, adapted to the circumstances of the times, is the rule. This is true of the present, as it was of the past."† Von Bülow gives the reasons for this lack of unity: "The founding of the Empire overcame Germany's political disruption and changed our political life completely; but it was unable to change the character of the German people at the same time, or to transform our political shortcomings into virtues. The German remained a separatist, even after 1871; different, and more modern, but still a separatist."‡ And he tells us that "Despite the abundance of merits and great qualities with which the German nation is endowed, political talent has been denied it. . . . We are not a political people. . . . Political sense connotes a sense of the general good. That is just what the Germans lack."§ The reason for this lack of political talent may be that Von Bülow "does not wish to advocate the parliamentary system as it is understood in the West of Europe," and the rulers of Prussia refused to admit that their views of "the general good" and the views of the German democracy were different. Von Bülow philosophically remarks that "Fate, who, as we all know, is an excellent but expensive teacher, might

* Treitschke. *Op. cit.*, p. 291.

† Prince von Bülow. "Imperial Germany," p. 110.

‡ *Op. cit.*, p. 113.

§ *Op. cit.*, p. 104.

undertake to educate us politically, and that by means of the injuries which our innate political failings must inflict on us again and again."*

It may be that Fate—in the form of the late war—will teach Germany to carry out the principles of her great philosopher, Immanuel Kant, particularly the eternal supremacy of *Right* over *Might*, of political equality and representative government, and so pave the way for the admission of Germany as a member of the League of Nations—of that Union which Dante and Kant prophetically declared must eventually be a World-Union.

KANT'S PERPETUAL PEACE

FIRST SECTION†

Which contains the Preliminary Articles of a Perpetual Peace between States.

Art. 1. No treaty of Peace shall be considered valid which has been made with the secret reservation of material for a future war.

Art. 2. No State having an independent existence (whether small or large), shall be acquired by another State through inheritance, exchange, purchase, or gift.

Art. 3. Standing armies (*miles perpetuus*) shall in the course of time be entirely abolished.

Art. 4. No national debts shall be contracted in connexion with the foreign affairs of the State.

* *Op. cit.*, p. 105.

† Only the Articles are given, not the explanatory notes. An excellent recent translation of the whole Essay is by Miss M. C. Smith, M.A.

Art. 5. No State shall interfere violently with the Constitution or Government of another State.
 (except in case of civil war, open & declared)
Art. 6. No State at war with another shall permit such hostilities as would make reciprocal confidence impossible in a future peace; such as the employment of assassins (*percussores*) or poisoners (*venefici*), the breaches of capitulation, the instigation of treason in a State (*perduellio*) against which it is making war, etc.

SECOND SECTION

which contains the Definitive Articles of a perpetual Peace between States.

Art. 1. The civil constitution in every State shall be republican.*

Art. 2. The law of Nations shall be founded on a Federation of Free States.†

Art. 3. The rights of men as citizens of the world shall be limited by conditions of universal hospitality.

FIRST SUPPLEMENT OF THE GUARANTEE OF PERPETUAL PEACE

This guarantee is furnished by nothing less than the great artist Nature herself (*Natura daedala rerum*).

* In the explanatory note to this article, Kant wrote: "The form of government, however, if it is to be in accordance with the idea of right, must embody the representative system in which alone a republican form of administration is possible, and without which it is despotic and violent, be the constitution what it may."

† Kant declares that by a Union of States, he means "a voluntary combination of different States, dissoluble at any time, not such a Union as is embodied in the United States of America." ("The Principles of Political Right," p. 225.) Therefore, Kant really means a *Confederation* or League—not a "Federation."

Nature has made it possible for men to live in all parts of the earth.

War has dispersed them everywhere so that they might populate even the most inhospitable regions.

By this same means Nature has compelled them to enter into relations more or less of a judicial character. The commercial spirit ultimately controls every State and will compel a world Peace.

SECOND SUPPLEMENT SECRET ARTICLE FOR SECURING PERPETUAL PEACE

The opinions of philosophers as to the conditions of the possibility of a public Peace must be taken into account by the States that are armed for war.

In Kant's "Principles of Political Right," he further explains his ideas for a Perpetual Peace, and considers the whole subject of law. Hastie observes that in this book Kant "inaugurated a method which was to guide and stimulate the highest thought of the future" (xii.). He made "the Science of Right (Law) the very corner-stone of the social building of the race, and the practical culmination of all religion and all philosophy" (xv.). This book was published in 1796, and was one of Kant's last works.

Kant's great contemporary, Goethe (1749-1832), also wrote of a World Federation. This is the central idea of W. Meister's Travels. The Federation is to be brought about, not by a Union of States, but by the education of men of every nation in a Pedagogical Province, and they will form a new democratic State in America. (See Bielschowsky's Life of Goethe, vol. III, chap. vi.)

CHAPTER IX

JEREMY BENTHAM'S INTERNATIONAL TRIBUNAL

JEREMY BENTHAM, originator of the Utilitarian Philosophy, was born in Red Lion Street, Houndsditch, in 1747-48 (O.S.). His father was a man of means, and able to give Jeremy and his brother Samuel a good education and comfortable surroundings. Jeremy was a precocious child. In his fourth year he learned the Latin Grammar, and in his fifth year he wrote Latin, learned Greek, and was known as "The Philosopher." At six or seven he began to learn French. He was a great reader, and wept for hours over *Clarissa Harlowe*. As a boy, he read Fénelon's "*Télémaque*," and afterwards said, "That romance may be regarded as the foundation of my whole character; the starting point from whence my career of life commenced." Fénelon's account of the election by competition to the throne of Crete made a great impression on his mind. In 1755 he was sent to Westminster School. He was puny and morbidly sensitive and hated school life, but learned to write more easily in French than in English—a valuable accomplishment, as French was the international language of this century. In 1760 he was sent to Queen's College, Oxford; in 1763, he took his B.A. degree, and then returned home. His opinion of University life at that time agreed with that of Adam Smith and Gibbon: "Mendacity and

insincerity—in these I found the effects, the sure and only sure effects of an English University education,” he wrote. In 1763 he began to eat his dinners at Lincoln’s Inn, but returned to Oxford to hear Blackstone’s lectures, which had a great effect on him. In 1766, he took his M.A. degree, was called to the Bar at Lincoln’s Inn, and became a member of that Society in 1817. The profession had no attraction for him, and he did not try to succeed. He studied Chemistry, and later in life he belonged to a scientific club. In his Common-place book, in 1773–6, he wrote “Barristers are so called (a man of spleen might say), from barring against reforms the extreme of the Law,” and “It is as impossible for a lawyer to wish men out of litigation, as for a physician to wish them in health.”

He then began those studies in politics and jurisprudence to which he devoted the rest of a long life of great intellectual activity. “I was a great reformist,” he wrote, “but never suspected that the ‘people in power’ were against reform.” Sir Leslie Stephen states that “the most real of pleasures for him lay in speculating upon the general principles by which the ‘people in power’ should be guided,”* and “the world was clearly ready for a fundamental reconstruction of legislative theories.”† Bentham took chambers in Lincoln’s Inn; in 1770 he visited Paris; in 1778 he corresponded with D’Alembert and other Encyclopaedists, and was regarded as a philosopher.

Before his visit to Paris, Bentham had formulated his famous principle—that the greatest happiness of

* Leslie Stephen. “English Utilitarians,” vol. I, p. 176.

† *Op. cit.*, vol. I, p. 178.

the greatest number is the measure of right and wrong—a principle that, as Leslie Stephen remarks, Bentham accepted as a “truth of extraordinary fecundity, capable of guiding him through the whole labyrinth of political and legislative speculation.”* Bentham did not claim to have originated the idea; he said he found it in Beccaria, Priestley, Hume, and Helvétius. This was called the Utilitarian Philosophy, of which Bentham, James Mill, and John Stuart Mill were the chief exponents—a practical philosophy that has had a great effect on political thought and action.

In 1776, a year that by the American Declaration of Independence opened a new political era, Bentham published anonymously his first important work, a *Fragment on Government*; the preface contained the first statement of his political formula, and the book was a criticism of Blackstone's Commentaries, particularly of the “antipathy to reform” shown by Blackstone. The *Fragment* was considered as a model of controversial literature; it invited men “to break loose from the trammels of authority and ancestor wisdom on the field of law.” It was attributed to the Lord Chief Justice, to Camden, and even to Burke.

Lord Shelburne (later Lansdowne), who was Premier in 1782 for a year, was much impressed by this book; he called on Bentham and invited him to his country home, and so Bentham entered a society where he met Pitt the Younger, and many leading politicians. Bentham said he was “monstrously frightened of Pitt—but when I came to talk with him, he seemed frightened at me.” All the statesmen,

* *Op. cit.*, vol. I, p. 178.

wrote Jeremy, "were wanting in the great elements of statesmanship"; they were always talking about "what was," and seldom or never about "what ought to be." At Lord Lansdowne's, Bentham met Dumont, a Genevese, who was tutor to Lansdowne's son. Dumont became Bentham's most devoted disciple, never tired of translating or condensing Bentham's writings. It is said that Dumont provided material for some of Mirabeau's most brilliant speeches, and the material came from Bentham. For many years Dumont worked as Bentham's assistant.

In 1785 Bentham went by way of Constantinople, where he stayed for some time, to Russia, to see his brother Samuel, who was building ships for Catherine II of Russia. He returned through Poland, Germany, and Holland, and reached London in 1788. This was his only long expedition abroad; except for visits to France, he spent the rest of his life in England, writing incessantly. In 1789 he published the *Introduction to the Principles of Morals and Legislation*—his greatest work. From his study he calmly watched the French Revolution; when, as Stephen remarks, "the deviser of Utopias had such an opening as had never occurred in the world's history."* In the earlier stages Bentham tried to assist the French Philosophers: he published an elaborate scheme for the organization and procedure of a legislative assembly, founded on the practice of the House of Commons, also a scheme for the organization of the French judiciary, and he offered to go to France and establish a prison on his new Panopticon principle of reform, and manage it himself. The Assembly acknowledged his

* *Op. cit.*, p. 196.

“ardent love of humanity,” and in 1792 conferred on him, also on Paine, Wilberforce, Clarkson, Washington, and Schiller (as author of “The Robbers”), the title of “citizen.” Like all other reformers, Bentham was deeply disappointed by the development of the Reign of Terror. He said that he was “a royalist in London for the same reason that would make him a republican in France.”

In 1792 Bentham's father died, and left him a comfortable income and the house in Queen's Square Place, Westminster, where, except for a short residence at Ford Abbey, Bentham spent the rest of his life. In the garden was the small house where Milton had once lived. Bentham occupied himself in prison reform, and all sorts of plans and experiments: he hoped to solve the question of prison reform by his ‘Panopticon,’ and in 1794 an act of parliament was passed adopting his scheme, on which he had already spent considerable sums. The Milbank Estate was bought, but the Scheme fell through, as Bentham believed, owing to the opposition of George III. But his continued support of prison reform helped on the movement.

Bentham avoided society, and lived almost as a recluse, in his later years, at his Westminster house. His fame as a legal and philanthropic reformer however, was international. His works were translated into Russian in 1803; Russians regarded him as the equal of Bacon, Newton, and Adam Smith, and the reformer Tsar, Alexander I, wished him to go to Russia to superintend the new Russian code. Bentham corresponded with Liberals all over the world; his Utilitarian political principles became of great importance in the nineteenth century. In

Spain, and in South America, politicians were ready to receive his laws as "oracles." In Germany and in France his writings were studied. In 1825 he visited Paris, and in a Court of Justice, all the lawyers rose to receive him, and the President placed him at his right hand. In 1820-21 he was consulted by the Constitutional party in Portugal, and he was a member of the Greek Committee. He had many disciples in the United States, and in 1830 his work was referred to in one of General Jackson's presidential messages. "Even in England," remarks Leslie Stephen, "he is often mentioned in books and in Parliament."*

Bowring, editor of Bentham's works, and his chief biographer, relates that these were days of boundless happiness for Jeremy Bentham, who felt that the true gospel of the happiness of the human race was being spread, and largely by means of his writings. In 1822 he offered to prepare a code of laws for any nation in need of a legislator.

Bentham discovered that British statesmen did not desire "the greatest happiness of the greatest number"; accordingly he began to try to shew how a government could be constructed that would desire it. In 1824 he founded the *Westminster Review*, of which journal Bowring became editor, and James Mill and his son, John Stuart Mill, were frequent contributors. In the first number, James Mill wrote an important article, shewing the thoroughly aristocratic character of the British Constitution; "the nomination of a majority of the House of Commons by a few hundred families; the entire identification of the more independent portion,

* *Op. cit.*, vol. I, p. 210.

the county members, with the great landholders; the different classes which this narrow oligarchy was induced, for convenience, to admit to a share of power; and finally what he called its two props, the Church and the legal profession.* J. S. Mill states that "so great a blow" had never been struck in England "for Radicalism."† The Review "made considerable noise in the world,"‡ says Mill, and no doubt it helped on the agitation for the Reform Bill of 1831-32. Bentham wrote long letters to the Duke of Wellington, who, in 1830, said that "as long as he held office he should oppose any measure of reform"; Bentham urged the Iron Duke to fight a bigger battle than Waterloo, and eclipse Cromwell by attacking the lawyers. The Duke replied good humouredly. Catholic Emancipation, and the passing of the Reform Bill in 1832 were steps in the right direction. Brougham became an adherent of the Utilitarians, and called Bentham "one of the greatest sages of the law." For a time Sydney Smith helped the party by his wit and wisdom, but when he discovered that Bentham's reforms were to be applied to the Anglican Church, his ardour suddenly ceased.

A sketch of Jeremy Bentham in his old age states that "his apparel hung loosely about him, and consisted chiefly of a grey coat, light breeches, and white woollen stockings hanging loosely about his legs; whilst his venerable locks, which floated over his collar and down his back were surmounted by a straw hat of most grotesque and indescribable

* J. S. Mill. "Autobiography," p. 53.

† *Op. cit.*, p. 54.

‡ *Op. cit.*, p. 56.

shape, communicating to his appearance a strong contrast to the quietude and sobriety of his general aspect." He walked quickly and was a healthy and robust old man. "He was a boy to the last," writes J. S. Mill. Bentham was said to be remarkably like Benjamin Franklin. His face expressed great sagacity, benevolence, humour, and amiability. When he was nearly sixty years old, he proposed to a lady whom he had met, as a young man, at Lord Lansdowne's. She declined the offer, and he never married. At eighty-two years of age, Jeremy Bentham was still, as he remarked, "codifying like any dragon." In 1832 he died peaceably. He left instructions for his body to be dissected for the benefit of science. His skeleton, dressed as in life, with a wax mask covering the face, is preserved in the London University. Here also are kept a vast number of his manuscripts which have never been published; some are stored at the British Museum.

"A great part of his writings may be considered as raw material for acts of parliament," observes Leslie Stephen; "and by his extraordinary intellectual activity, and the concentration of all his faculties upon certain problems, he succeeded in preserving an example, and though not a unique yet an almost unsurpassable example of the power which belongs to the man of one idea."* He advocated universal suffrage and the secret vote, and wrote against the taking of oaths. His greatest works were on ethics and jurisprudence. J. S. Mill stated that Bentham "found the philosophy of law a chaos; he left it a Science." A large number of his reforms have been adopted.

* *Op. cit.*, vol. I, p. 234.

One of his great objects was the codification of international law—which term he invented. He wrote that “Few things are more wanting than a code of international law,” and that if a citizen of the world had to prepare a universal international code, his object must be “the common and equal utility of all nations,” and that a disinterested legislator on international law “must also propose to himself the greatest happiness of all nations taken together.” Further, he wrote strongly against secret diplomacy.

In his later years, the United States became his ideal of good government. In his essay “On the future destinies of Europe” he wrote, “America is educating Europe. She has resolved some great political problems; all that exists with her has been denied as possible by all publicists; all that appeared monstrous to the governments of Europe is natural on her territory, Royalty alone is monstrous there. Europe is the ground where political discussions are entertained; America is the ground where they are decided.”

The following plan for a European Tribunal was written by Bentham in 1786 or 1789, and is contained in “The Fragments of an Essay on the Principles of International Law.”

JEREMY BENTHAM ON AN INTERNATIONAL TRIBUNAL

A PLAN FOR A UNIVERSAL AND PERPETUAL PEACE

An International Code, he declares, ought to regulate the conduct of nations in their mutual inter-

course. Its objects for any given nation would be— (1) general utility, so far as it consists in doing no injury, and (2) in doing the greatest possible good to other nations, to which two objects, he says, the *duties* which the given nation ought to recognize may be referred; and (3) general utility, in so far as it consists in not receiving injury, or (4) in receiving the greatest possible benefit from other nations, to which the rights it ought to claim may be referred.

But if these rights be violated there is, at present, no mode of seeking compensation but that of *War*, which is not only an evil, it is the complication of all other evils.

The fifth object of an International Code would be to make such arrangement that the least possible evil may be produced by War consistently with the acquisition of the good which is sought for. 5

“The laws of Peace would be the substantive laws of the International Code; the laws of War would be the adjective laws of the same Code.”

PREVENTION OF WAR

For this he proposes a plan for a universal and perpetual Peace.

This plan is grounded upon two fundamental propositions, both of which he deems indispensable to its success:—

1. The reduction and fixation of the forces of the several nations that compose the European system. ✓

2. The emancipation of the colonial dependencies of each State. ✓

In treating of these he lays down fourteen Pacific

Propositions, which he discusses in detail within the limits of his notes.

The elaboration of the thirteenth of these includes his scheme. It is as follows:—

Proposal XIII. That the maintenance of such a permanent pacification might be considerably facilitated by the establishment of a Common Court of Judicature for the decision of differences between the several nations, although such Court were not to be armed with any coercive powers.

“It is an observation of somebody’s, that no nation ought to yield any evident point of justice to another. This must mean, evident in the eyes of the nation that is to judge, evident in the eyes of the nation called upon to yield. What does this amount to? That no nation is to give up anything of what it looks upon as its rights: no nation is to make any concessions. Wherever there is any difference of opinion between the negotiators of the two nations, war is to be the consequence.

“While here is no common tribunal, something might be said for this. Concession to notorious injustice invites fresh injustice.

“But, establish a common tribunal, the necessity for war no longer follows from difference of opinion. Just or unjust, the decision of the Arbiters will save the credit, the honour of the contending party.”

Can the arrangement proposed be justly styled visionary, when it has been proved of it that:—

1. It is the interest of the parties concerned.
2. They are already sensible of the interest.
3. The situation it would place them in is no new one, nor any other than the original situation they set out from.

Difficult and complicated Conventions have been (already) effectuated : e.g. (1) The Armed Neutrality ; (2) the American Confederation ; (3) the German Diet ; (4) the Swiss League. Why should not the European fraternity subsist as well as the German Diet or the Swiss League ?

These latter have no ambitious views. Be it so ; but is not this already become the case with the former ?

How then shall we concentrate the approbation of the people, and obviate their prejudices ?

One main object of the plan is to effectuate a reduction, and that a mighty one, in the contributions of the people. The amount of the reduction for each nation should be stipulated in the treaty ; and even previous to the signature of it, laws for the purpose might be prepared in each nation, and presented to every other, ready to be enacted, as soon as the treaty should be ratified in each State.

By these means the mass of people, the part most ~~ex~~posed to be led away by prejudice, would not be sooner apprised of the measure, than they would feel the relief it brought them. They would see it was for their advantage it was calculated, and that it could not be calculated for any other purpose. *do*

Such a Congress or Diet might be constituted by each Power sending two deputies to the place of meeting ; one of these to be the principal, the other to act as an occasional substitute. ✓

The proceedings of such Congress or Diet should be all public.

Its power would consist :—

1. In reporting its opinion.
2. In causing that opinion to be circulated in

the dominion of each State. Manifestos are in common use. A manifesto is designed to be read either by the subjects of the State complained of, or by other States, or by both. It is an appeal to them. It calls for their opinion. The difference is, that in that case (of a manifesto) nothing of proof is given; no opinion regularly made known.

3. After a certain time, in putting the refractory State under the ban of Europe.

There might, perhaps, be no harm in regulating as a last resource, the contingent to be furnished by the several States for enforcing the decrees of the Court. But the necessity for the employment of this resource would, in all human probability, be superseded for ever by having recourse to the much more simple and less burdensome expedient of introducing into the instrument by which each Court was instituted a clause, guaranteeing the liberty of the Press in each State, in such sort, that the Diet might find no obstacle to its giving, in every State, to its decrees, and to every paper whatever, which it might think proper to sanction with its signature, the most extensive and unlimited circulation.

Works, vol. II, p. 546, and seq.

CHAPTER X

THE HOLY ALLIANCE

SOME writers assert that the character of the Emperor Alexander I of Russia—the author of the Holy Alliance—is “an enigma.” In order to form a just idea of his character, it is necessary to study his ancestry, environment, and education.

Half of his immediate ancestors were Germans, and Peter the Great was descended from a long line of semi-Asiatics. Alexander’s mother was a German Princess, and his grandmother, Catherine II, was also a German, and a daughter of one of Frederick the Great’s generals. This mixed racial heredity may, to some extent, account for Alexander’s complex character. It is often observed that racial fusion produces remarkable and brilliant effects. Catherine II was a woman of extraordinary intellectual gifts. She was her own Foreign Minister, and corresponded with Frederick the Great and with the French Encyclopædists. She wrote a famous book called *Nakás*, which described the Liberal principles on which a new code of laws for Russia should be established.* Her legal ideals were too advanced for Russia in the eighteenth century. Panin said “These are axioms fit to bring down stone walls,” and her officials accordingly modified the proposals, before they were

* This was one of the first Russian books translated into English, and published in London in 1768.

considered by an elected Commission. Catherine undoubtedly aimed at winning the fame of a female Justinian. This pioneer work of Alexander's grandmother has its importance in considering the formation of his character. For just as Catherine tried to liberalize and codify Russian law, so did her grandson, by the Holy Alliance, try to reform international relations in Europe. The Christian principles of the Holy Alliance, had they been carried out, would have brought down the "stone walls" of national hatreds and dynastic ambitions in Europe.

Catherine's brilliant Court was French, and French culture became the mode among the Russian aristocracy. But notwithstanding her enlightened views, the civilization of Russia was not accomplished in her reign. The obstacles were too enormous. She helped to Germanize the Romanovs, and to separate the ruling classes from the people. "The Russian nation consisted from the reign of Catherine of an upper stratum, with foreign culture and manners, and a bed rock, composed of those who adhered to the old mode of living. This upper stratum of society was heterogeneous in character, being a combination of the corrupt culture of the *ancien regime* with Russian barbarism; it was at the same time utterly degenerate in tendency."*

The predominant figure, then, in the youthful environment of Alexander, was that of his grandmother, Catherine II, the enlightened despot and usurper, who made some attempt to reform her vast semi-Asiatic Empire; with her French court, her

* "Cambridge Modern History," vol. VI, p. 681.

bureaucracy, and her millions of uneducated peasants and serfs.

Catherine took Alexander away from his parents at an early age, and as a child he spent much time with her, and was a great favourite. She gave him, for tutor, a Swiss, Laharpe, who had been recommended by Grimm, whose correspondence—a subsidized series of letters—kept her and other Sovereigns in touch with all that occurred in Paris. In "*Le Gouverneur d'un Prince*," by Laharpe, we learn the liberal principles that he so successfully taught his royal pupil. The lessons drawn by Laharpe from classical history shew the highest ethical standard. Laharpe's home was near Geneva, the centre of English ideas and influence, and it would be more correct to say that he taught his pupil Locke's principles of toleration and government than "Jacobin principles"—the term used by those writers who wish to condemn Alexander and the Holy Alliance. Laharpe was a free-thinker, not a Christian, therefore he was not a devoted disciple of Rousseau. He cultivated Alexander's intellectual faculties, and inculcated Liberal principles; he trained his pupil to consider his future sovereignty as a divine mission, but he did not train him as a Christian. He was with Alexander for eight years, until he was sixteen years old; his influence was much more permanent than the militarist education which Alexander received from his father Paul. Afterwards Laharpe wrote that he "had not met ten Russians, especially in the highest rank, who could understand Alexander," who had, he stated, "the heart and soul of the Antonines"; also that Alexander had "a profound horror of war," and

that if a Council could be formed for the Holy Alliance, he would agree to the decision of the majority; and that he had a great respect for the rights of others. The friendship between tutor and pupil continued during the rest of Alexander's life. After his death, Laharpe wrote, "I have letters of his worthy of being printed in letters of gold."

The witness of this faithful friend and mentor to Alexander's sincerity and true nobility of character, carries more weight than that of Alexander's great-nephew, the Grand Duke Nicolas Mikhaïlovitch, whose primary object in his recently-published life of Alexander I seems to be to prove that his ancestor's ideals and activities were an obstacle to Russian imperial ambitions.* An impartial reader will recognize this frankly prejudiced view of the Grand Duke Nicolas, and will see in it, as an expression of Romanov ambitions, a reason for the Russian people's revolutionary termination of the Romanov dynasty. The Russian people do not wish to be driven on by their rulers to conquer and domineer over other nations in order to acquire territory. Had all the succeeding Tsars followed the international and Liberal ideals of Alexander I and Alexander II, Russia might long ago have been a constitutional monarchy, and the present sanguinary revolution might not have taken place. The Grand Duke Nicolas is a type of the reactionary spirit in the aristocracy and bureaucracy that, during the reign of Alexander I, hindered all his reforms, and that has finally brought Russia to its present chaos.

* L'Empereur Alexandre I. The Grand Duke Nicolas writes that "the idea of the Holy Alliance was pernicious and destructive of Russian interests," vol. I, p. 319.

When Alexander was sixteen years old, he was married to a Princess of Baden. She was of a sweet nature, but had no distinguished mental capacity. They had tastes in common; they both preferred simplicity and disliked etiquette and ceremony; but unfortunately they became estranged. Not many years before Alexander's death, the misunderstanding was cleared away, and they were happy together in the Crimea in the last weeks of his official existence.

Catherine II died in 1796. Her son, Paul, who succeeded her, had a short and troubled reign—a reign of terror for his unhappy subjects. Catherine had not intended him to become Tsar. A powerful conspiracy to dethrone him was formed; in 1801 he was murdered by a number of the nobles. Alexander had given his consent to his father's deposition, but there is no evidence that he knew of the intention to murder the despot. Czartoryski states that the deposition was inevitable, and necessary to free the country from misgovernment. Paul's murder caused Alexander life-long remorse, and was said to be a cause of his later "mysticism." Thus, in 1801, Alexander ascended an unstable throne: both his father and his grandfather had been murdered. This fact—the instability of the throne—explains Alexander's later reactionary tendencies; only at the risk of his own life could he continue to oppose the ruling classes in Russia, who were dissatisfied with his Liberal reforms and his international ideals. In considering the problematical end of his reign, a dominating factor is the increasing Russian opposition to his reforms.

Alexander was twenty-three years old when he

became Tsar of all the Russias. The most authentic account, in many respects, of the early years of his reign, is found in the "Memoirs" of Prince Adam Czartoryski, his greatest friend during that period and a member of the most influential and cultured Polish family. Prince Adam's father had studied jurisprudence in London with Lord Mansfield, Lord Chief Justice. Prince de Ligne said of him that he was "the most distinguished man of the four quarters of the world." Prince Adam's grandfather and great-uncle had practically governed Poland before the reign of King Stanislaus Poniatowski, who was a relative of theirs and had been placed on the throne by Catherine II. The Czartoryskis were advanced Liberals, and most devoted Polish patriots; their country home, Pulawy, was the Holland House of Poland: there were trained the greatest Polish patriots, including Kosciusko. Prince Adam's influence on the development of Alexander's internationalism was great: by his friendship with this Pole, with the Swiss, Laharpe, and later with Capo d'Istria, a Greek, and Pozzo di Borgo, a Corsican, Alexander learned the rights of other nationalities.*

Immediately after his accession, Alexander formed a secret Council of a few friends; it included Czartoryski, Strogonov, Novossiltsov, and Count Kotchoubey—all intellectual young Liberals. When Laharpe was in Russia, he was also a member. This Council met every day, and discussed every possible reform for Russia. Czartoryski wrote that

* The Grand Duke Nicolas complains that Alexander's *entourage* was too cosmopolitan; many of his aides-de-camp were foreigners—not patriotic Russians.

no useful reform was carried out in Alexander's reign that did not originate in this Council. Novossiltsov had studied jurisprudence in England. Czartoryski had also travelled in England, and was an Anglophile. The Foreign Minister, Vorontzov, was quite in sympathy with the secret Council; his brother, the Russian ambassador in London, was also an Anglophile, and a great admirer of Pitt. It is important to note that the leading members of the Council were Anglophiles. So, at the beginning of his reign, the young Tsar was surrounded by Liberals of strong English sympathies. This Council adopted the principle of non-interference in European affairs. Czartoryski became Foreign Secretary and then Foreign Minister, and was strongly in favour of an alliance between Russia and England, and stated that England was Russia's best customer. But he complained that the British Foreign Office was not then well managed, and the officials were apathetic.

Alexander and his secret Council at once began a series of reforms. A Ukase was issued, abolishing caste, which was almost as rigorous in Russia as in India. The Senate was restored to authority and dignity—a first step in national and representative government. Ministries of the Interior, Police, Finance, Justice, Public Education, Commerce, Foreign Affairs, War, and the Navy were formed. The Ministers were to meet in Council and to sign the Tsar's Ukases. Every order of the Tsar, whether spoken or written, had the force of law. There were also an Imperial Council and a Council of State. These changes seemed novel and revolutionary to the Russian aristocracy, most of whom saw no

necessity for reform, except to secure their own privileges. Joyneville considered that Alexander knew that real reforms, to be lasting, must proceed from the will of the nation, and that the Tsar tried to interest all classes in his project of leading them on towards a Constitution—but in vain.

In 1801, Alexander passed a law permitting a peasant to hold land of his own, and authorizing a nobleman to sell part of his estate to the serfs, and to free them: also he made a law prohibiting the nobles from exiling serfs, without any trial, to Siberia. He began to lay aside a million roubles a year to pay for the emancipation of the serfs; also he lent them money to build houses. The whole Constitution of Russia was founded on serfdom. Alexander, therefore, had a much greater task than the contemporary British Anti-Slavery Society. Serfs in Russia were advertised for sale, like so many cows or sheep. In 1816 and 1817, Alexander freed the serfs in Esthonia and in Courland. Many Russian nobles had become rich by grants of land and serfs from the Tsars. Catherine II had given five million serfs to her men favourites. Alexander's father had given to his nobles two million serfs. So when the aristocrats learned that this would not happen in Alexander's reign, it was a great shock to them. They regarded the new laws as an interference with their private property; they became hostile and alienated; most of them would not help the Tsar's reforms, and Joyneville surmises that from this date a conspiracy was formed to dethrone Alexander. The persistency of the Russian aristocratic instinct for being slave-holders is confirmed by Tolstoy's statement that in 1840 the idea that

serfdom was wrong was quite unknown in his circle, and that "the hereditary possession of serfs seemed a necessary condition of life."*

As yet, Alexander paid no attention to his nobles' displeasure, but continued his reforms. He appointed a Commission to revise all former laws, and to form a new code for Russia. Jeremy Bentham, our most advanced Radical reformer, was invited to assist this Commission, but declined. The Tsar wrote to the President of the Commission: "In the law alone I place the source and principle of all national prosperity." He removed the prohibition to export corn, and favoured free trade. He did a great deal for medicine and placed a surgeon in every district. Also he founded four new Universities and 200 Secondary Schools, and formed a great scheme for Primary Schools, which was not, however, carried out. He removed the censorship, and said, "everybody may dress as he pleases, provided he does not violate common decency." All societies and clubs were permitted; there was complete religious toleration; the criminal law was reformed and the penal code became the mildest in Europe—at a time when Irish prisoners were tortured, and an Englishman could be hanged for stealing five shillings. The Tsar formed a great plan for the Federation of Russia, by dividing it into autonomous provinces with Diets and a central Diet. But this plan, and many others, were not carried into effect; the Napoleonic wars checked all internal reforms.†

Alexander was unable to reform the Orthodox

* "Life of Leo Tolstoy," by Aylmer Maude, vol. I, p. 42.

† In "Russia from the Varangians to the Bolsheviks," the authors show that Russia, at this time, was in too rotten a state to be effectually reformed.

Greek Church—the State Church—which he wished fundamentally to alter. Two-thirds of the Russian people belonged to this Church; the monasteries were very wealthy, but the majority of the clergy were ignorant fanatics, and were often drunk. Church services were in a Slavonian language, which few Russians understood. When, therefore, under the Tsar's protection, a Bible Society was formed, that had the Bible translated into various Russian dialects, and distributed 129 editions in nine years, it amounted to a religious revolution. Alexander's old friend, Prince Galitzin, was President of the Society. But the Church was so powerful that it crushed Alexander's attempts at reform; soon after the end of his reign, the Bible Society was suppressed, and the distribution of Bibles stopped. No picture of Russia can be complete, without a background and foreground of the millions of ignorant serfs taught by ignorant, superstitious priests. "The triumph of the ecclesiastical reaction during the last years of the reign of Alexander I possessed the utmost significance for the future internal policy of Russia."* The Slav soul is essentially religious; therefore the influence of ignorant priests in paralysing the mental faculties of uneducated peasants may be profound. For a century since Alexander's day, the Orthodox Church has pursued its way. The Censor's suppression of many of Tolstoy's books, and the Holy Synod's excommunication of the greatest Russian writer, are evidence enough that even at the beginning of the 20th century, it was considered expedient to keep the Russian proletariat in darkness. A supreme

* "Cambridge Modern History," vol. X, p. 425.

instance of the folly of uniting a Church to the State! In trying to reform the Church, Alexander went to the root of the matter—the real cause of backward Russian civilization.

Within the limits of this short essay, it is not possible to give a full account of Alexander's work as a reformer in Russia, before the Napoleonic wars. Enough, perhaps, has been written to shew that he was the most Liberal and progressive European monarch of that period, and that he began his work by trying to improve the conditions of the proletariat, and by trying to pave the way for a Liberal Constitution. Those writers who see in the Holy Alliance merely the result of a sudden attack of "mysticism," entirely fail to appreciate Alexander's character, because they do not take into account his ardent reforming activities in the earlier part of his reign. After Napoleon was conquered, the natural line of evolution was for Alexander to attempt to reform international relations, in order to prevent future wars, and the simplest, most obvious way of accomplishing this aim, at that time, was to form an alliance between all European monarchs.

Nowhere can be found a more striking picture of the Russia of this period, than in Tolstoy's great novel "War and Peace," which was compiled from documents and letters. Much of the book, therefore, is Russian and European history. Tolstoy's enormous canvas is crowded with figures—many of them are pen-portraits of Alexander and his leading statesmen and generals, and of Napoleon. Tolstoy shews us the popular and handsome young Tsar in brilliant Moscow society, reviewing his army with the Emperor of Austria, meeting Napoleon at

Tilsit, and receiving the news of the burning of Moscow. It is much to be regretted that Tolstoy did not continue the history, and follow the Tsar and his army across Europe. The pen of the greatest Russian writer could have given us remarkable pictures of the Tsar among the Machiavellian diplomatists at Paris, and at the Vienna Congress, and Tolstoy's opinion of the Holy Alliance would be valuable.

That Alexander, from the beginning of his reign, designed some international plan, is proved by his early efforts to secure a firm alliance with England. One of the first acts of his reign was to send an autograph letter to George III. In 1804, Novossiltsov, a member of the secret Council, was sent on a special mission to Pitt, with an important proposal. The Grand Duke Nicolas considers that this was the Tsar's own idea. The document sent to Pitt is printed in Czartoryski's "Memoirs." It contained a plan for the reconstitution of Europe, when freed from Napoleon's control, and it said that as to the forms of government to be established, they "should be founded on the sacred rights of humanity."* so that there would be a firm and lasting foundation for the future peace of Europe. Alexander continued: "The object would be, first, to attach nations to their Governments, by making it only possible for the latter to act for the benefit of their subjects; and secondly, to fix the relations of the various States towards each other on more precise rules, which would be so drawn up as to make it the interest of each State to respect them. . . . When peace is made, a new treaty should be

* Czartoryski. "Memoirs," vol. II, p. 46.

drawn up as a basis for the reciprocal relations of the European States. Such a treaty might secure the privileges of neutrality, bind the Powers who take part in it never to begin a war until after exhausting every means of mediation by a third Power—and to lay down a sort of *new code of international law*, which, being sanctioned by the greater part of the European States, would, if violated by any one of them, bind the others to turn against the offender, and make good the evil he has committed.”* After describing the steps to be taken with regard to Prussia and Turkey (the earlier part of this document had dealt with France, Switzerland, and Holland) the Tsar wrote: “The Peace of Europe could only be preserved by means of a league formed under the auspices of Russia and England, which would be joined by all the second-class States and by all those who really wish to remain at peace. In order that such a league should effectually resist the disturbers of peace and be firmly established, it is necessary that the two protecting Powers should maintain a certain degree of preponderance in the affairs of Europe, for they are the only ones which by their position are always interested in order and justice being maintained, and which, by their union, would be able to maintain it.”†

In this document, Alexander had also put forward the principle of nationality, urging that consideration must be given to the questions of homogeneity of population, as well as of natural boundaries. Pitt, in his reply, ignored the principle of nationality. It is remarkable that this proposal of Alexander’s

* Czartoryski. “Memoirs,” vol. II, p. 47.

† *Op. cit.*, p. 50.

includes what Professor Hearnshaw considers to be the three most striking features of the nineteenth century—the growth of the unity of Europe, the development of nationality, and the evolution of Democracy.*

A treaty was signed between England and Russia in April, 1805, and a secret article stated that "Their Majesties, who take the most lively interest in the discussion and precise definition of the law of nations, and in the guarantee of its observance by general consent, and by the establishment in Europe of a federative system, to ensure the independence of the weaker States by erecting a formidable barrier against the ambition of the more powerful, will come to an amicable understanding among themselves as to whatever may concern these objects, and will form an intimate union for the purpose of realizing these happy effects."

Why was not this "intimate union" between England and Russia continued, and the Federation of Europe arranged? It is too intricate a history to be described in these pages. Czartoryski says that at that time England had few able diplomats. After Pitt's death England had no great-souled statesman: she had only Tory politicians. One reason for the later coolness was that England would not give up Malta. Caulaincourt, who was Napoleon's ambassador at St. Petersburg, relates in his "Memoirs" that one of Alexander's finest regiments was the Horse Guards, in which every private was a Knight of St. John of Malta, and the officers were all noblemen of the highest rank. It

* T. C. Hearnshaw, M.A., LL.D. "Main Currents of European History, 1815-1915," p. 24.

was the Guards' regiment, led by Catherine II, that had compelled her husband to abdicate. Had Alexander not insisted on the return of Malta to its original owners, the Guards might have compelled him to abdicate. But Malta was not the only bone of contention. And the British politicians could not believe in the Tsar's altruistic motives.

In considering the most unfortunate scepticism that the Tsar's international proposals met with in England, it is necessary to recall the state of our Parliament and Government at that period. In 1815, when Alexander formed the Holy Alliance, Lord Liverpool, as Prime Minister, had a Cabinet composed chiefly of Tory peers. Lord Castlereagh, the Foreign Secretary, was a Tory—a member of the land-owning classes that, since 1688, had formed a majority in the House of Commons. It was a purely aristocratic Government. The House of Commons could not be said to represent the General Will of the majority of the people of the United Kingdom—as was proved by the urgent necessity for the Reform Bill of 1832. As a result of the French Revolution, all governments were afraid of Liberal ideas. In fact, Tory politicians were almost more afraid of Alexander's Liberal and reforming activities than they were of Napoleon. Also, in 1815, Alexander had the largest army—an undefeated army. "Lord Liverpool," affirms the *Encyclopædia Brit.*, "was destitute of wide sympathies and of true political insight, and his resignation of office (1827) was followed almost immediately by the complete and permanent reversal of his domestic policy." Unfortunately his resignation was much too late to prevent the secret treaty against Russia,

that was made at the Vienna Congress by England, Austria, and France—a treaty which Alexander never forgave, and that made impossible an “intimate union” between England and Russia—a union which would have altered profoundly European history in the nineteenth century. For in the slow evolution of civilization, a permanent alliance with England, one might judge, would have given more help to Russia than an alliance with Austria and Prussia—two militarist States. But it was not the people of England, it was her short-sighted Tory politicians (whom she foolishly allowed to manage foreign affairs) who refused the warm hand of friendship held out by Alexander I.

Nor was the English Court at that time suited to attract a highly intellectual man like Alexander. During his visit to London in 1814, after his first interview with the Regent, he remarked—“Not much of a Prince!” Princess Lieven, wife of the Russian ambassador in London, wrote in 1813 of “the Anglomania which has seized on so many of my countrymen.” Her mother was an intimate friend of Alexander’s mother, and Princess Lieven evidently regarded with dismay the negative political results of the Tsar’s visit to London.

If one remembers not only the Tory Government, but also the Tory diplomatists with whom Alexander had to struggle at Vienna, Paris, and the later Congresses and Conferences, one realizes his difficult task. Talleyrand, Metternich, and Castlereagh were the three principal diplomatists. Talleyrand, a member of an old noble French family, stood for the principle of “legitimacy,” whether the legitimate Sovereign were a genius or

a fool.* Napoleon said of Talleyrand that he was "a silk stocking filled with filth"; and to his face Napoleon said: "You are a coward, a traitor, and a thief. You do not even believe in God. You have betrayed and deceived everybody. You would even sell your own Father." Modern French writers all admit Talleyrand's great venality and treachery to his chiefs, and capacity for lying. He is said to have received fourteen million francs in three years from various Kings, Republics, Hanseatic Cities, and from Stock Exchange speculation. Whitelaw Reid states that he "made merchandise of his treaties and became a millionaire on bribes."† Pitt banished him from England, and Washington refused to receive him. But he died with a French King at his bedside, and a Cardinal blessing him, and he said that he had never betrayed France.

Metternich was the son of an ambassador, and all his life, since school days, had been spent in diplomatic circles. He hated Liberalism. He regarded the Germanic Confederation of thirty-nine States (formed at the Vienna Congress) as machinery to protect monarchs from the "Jacobinism" of France and Russia, and to crush any developments of German or Austrian Liberalism. He was absolutely opposed to representative government, to the freedom of the Press, and to constitutional progress. He thought Bible reading a dangerous epidemic. In a letter to the Emperor of Austria, dated August 29, 1817, Metternich wrote of Alexander I: "His

* Alexander thought the doctrine of the divine right of Kings an exploded idea, and he only valued a man for his personal qualities.

† "Memoirs of Talleyrand." With Introduction by Whitelaw Reid, p. liv.

tendencies being always revolutionary, so also are his religious feelings, and therefore he could not avoid assuming the protectorate of Bible Societies. . . . It is very hard to determine to what extent this madness will reach. . . . It only remains for us quietly, yet curiously, to see what will be the next answer to my last despatch to Lebzeltern, with respect to the dangers of mysticism and the common action of the Cabinets against its miserable results."*

The last sentence gives the key to the secret diplomatic opposition, led by the crafty Metternich, to the principles of the Holy Alliance. Metternich was the author of the Carlsbad Decrees, which in 1819 suppressed the freedom of the Press and of speech in Germany and Austria, and placed the universities throughout the Germanic Confederation under government control. The result of his system of Tory coercion and misgovernment, persisted in for many years, was that, at last, in 1848 the Vienna mob battered on his doors; he fled secretly from Vienna to England, and revolutions broke out in all the Hapsburg dominions. But he was a master of subtle diplomatic conversations and correspondence.

Of Castlereagh at the Congress of Vienna, Gentz wrote that though he was "capable of being the arbiter for Europe, he gave her only weak and partial support. This was, without doubt, the principal cause of the unsatisfactory issue of the Congress."† Castlereagh cannot be accused of Talleyrand's

* Metternich, *Memoirs*, vol. III, p. 62. In 1821 Metternich wrote: "To-day I had a long conversation with the Emperor Alexander. . . . My greatest merit consists in this—by my present influence to prevent him from roaming beyond what is right and good." *Op. cit.*, vol. III, p. 495.

† Metternich. *Op. cit.*, vol. II, p. 559.

treachery and venality, or of Metternich's subtle deceptions, but his frankly coercionist policy in England after 1815 is well known. Like Lord Liverpool, he thought that whenever there was any talk of popular grievance, the only wise and just course was to put the complainers in prison, and to limit severely the freedom of speech and of the Press. "Seldom," wrote Justin Macarthy, "has the death of a public man in modern times been received with any such demonstrations as those which in many places followed the news that Castlereagh had done himself to death (1822). In every community all over the country, and indeed all over Europe and the civilized world, there were those who proclaimed that the death of such a man was a positive blessing to the human race. Wherever men were struggling against despotism and suffering from tyranny, there were those who felt and who declared that the departure of Castlereagh from this world was a benefit to humanity at large."* The London crowds followed his funeral procession to Westminster Abbey with yells of execration, and Byron wrote savage verses.

Such, in outline, were the figures of the diplomatists who greeted with insults and sarcasms Alexander's Holy Alliance. Did it not require indomitable moral courage for the younger Tsar to announce the Holy Alliance to such men?

Writing to Louis XVIII from Vienna, during the Congress, Talleyrand observed that Castlereagh was surprised to find that Alexander "displayed all the resources of a most subtle mind." And the Grand Duke Nicolas remarks that Talleyrand,

* "History of the Four Georges," vol. II, p. 299.

Metternich, and Castlereagh had to use all their powers not to be the Tsar's dupes; that the Tsar could penetrate men's characters, seized promptly the root of a question, and made a decision. Gentz, a keen observer, who was Secretary at the Vienna Congress, wrote that Alexander looked on Metternich "only as a permanent obstacle to his designs, as a man occupied without intermission in opposing and thwarting him, at last, as a sworn enemy";* and that the Tsar particularly disliked Castlereagh, whom he called "cold and pedantic."† Gentz also stated that "the real purpose of the Congress was to divide amongst the conquerors the spoils taken from the vanquished."‡ In fact, the truest thing that was said at the Vienna Congress was when Humboldt exclaimed: "*What has public law to do here?*"

In 1815, after the Congress, Metternich, writing from Paris to his daughter, philosophically remarked: "This specific weight of the masses will always be the same, while we, poor creatures, who think ourselves so important, live only to make a little show by our perpetual motion, by our dabbling in the mud or in the shifting sand."§ Unhappily these diplomatists at the Vienna Congress did not only "dabble in mud"; they "dabbled" in human beings. Not only was the partition of Poland sanctioned, but also of Italy. Sismondi, after describing the good work that Napoleon had accomplished in Italy, "which promised to revive in Italy liberty, virtue, and glory,"

* Metternich. *Op. cit.*, vol. II, p. 555.

† *Op. cit.*, vol. II, p. 556.

‡ *Op. cit.*, vol. II, p. 553.

§ *Op. cit.*, p. 612.

then adds, "It has been the work of the Coalition to destroy all, to place Italy again under the yoke of Austria; to take from her, with political liberty, civil and religious freedom, and even freedom of thought; to corrupt her morals, and to heap upon her the utmost degree of humiliation."*

Contrast Metternich's treatment of Italy, and Castlereagh's coercionist policy in Britain, with Alexander's treatment of his share of Poland. In 1815, the Tsar gave a new Constitution to Russian Poland, which was "in some respects the most progressive Liberal constitution in Europe."† "The electoral system, based on a uniform principle with electoral districts of equal extent, and with a restricted register of voters, was far superior to the English electoral system before the Reform Bill.‡ There was complete religious toleration, except for Jews, at a time when English Roman Catholics had no political rights. Only the Polish language was to be used, and only Polish citizens had public rights. This Polish Constitution owed much to the patriot Czartoryski, but it was an illuminating example of Alexander's "Jacobinism"—that is, of his true Liberalism, against which Tory politicians and diplomatists so disastrously fought, delaying the progress of democracy throughout Europe, and denying "the sacred rights of humanity" about which the Tsar wrote to Pitt. The Tsar wished to see Constitutions similar to the Polish one established in every country, and he frequently wrote to the members

* "The Italian Republics," p. 333. (Everyman's edition.)

† "Cambridge Modern History," vol. X, p. 447.

‡ *Op. cit.*, p. 447.

of the Holy Alliance urging the matter on their consideration.

It was after the Vienna Congress, in 1815, that Alexander, on his way to Paris, met Madame de Kruedener, at Heilbronn. Most writers have exaggerated her influence over him, and have asserted that she converted him to "mysticism." Not caring openly to attack Christianity, these writers do not call her simply a Christian—a practical Christian—but "a mystic." There are many mystics who would not call themselves Christians—for instance, the Indian Buddhists. Europe, at this time, was honeycombed by secret societies. Tolstoy, in "War and Peace," describes the rapid growth of Freemasonry in Russia. Frederick William II of Prussia, and some of his Ministers, were members of the Rosicrucian Society. In Russia there were always many Christian mystics and mediaeval saints, including the Doukhobors. To the latter sect of primitive, anti-militarist Christians, Alexander was particularly kind, and would not have them persecuted. The annual pilgrimages of thousands of Russians, in these days, to Jerusalem, would be regarded as a madness by the western European proletariat. And every student of Russian literature knows that the religious duty of throwing aside all earthly ambitions, and making humble pilgrimages to sacred shrines, compels Russians of all classes to forsake the beaten paths of men.

Madame de Kruedener was born at Riga, in 1766, of a noble family, inscribed in the book of Teutonic Knights, and dating back to 1360. Her father was a wealthy man. When she was eighteen

years old, after finishing her education in Paris, where she presided at her father's Salon, and met the Encyclopædists, she married a much older man, Baron von Kruedener, who was Russian ambassador for Catherine II at Venice, and later at Copenhagen and Berlin. As the ambassador's wife at Venice, and at these Courts, Madame de Kruedener met all the notable people of the time. Queen Louise of Prussia, the Queen of Holland, Madame de Staël, and many of the French nobility were her friends. She became a successful authoress, and Chateaubriand gave her the first copy of his famous work "The Genius of Christianity."* She had always been interested in the writings of the Christian mystics—in Boehme and Swedenborg—and Jung Stilling was a friend of hers. Beautiful, witty, intellectual, and possessed of great charm, Madame de Kruedener was a popular and original member of the best intellectual circles. But she passed through Vanity Fair; she became a pilgrim; she preached and practised primitive Christianity. With her daughter and some friends she nursed and fed the suffering poor in Switzerland during the Napoleonic wars. She gave away her money, sold her diamonds, wore plain clothes, and lived in a bare four-roomed cottage. Then she preached the Sermon on the Mount to thousands—generally in the open air; and she was maligned, persecuted, and driven by the police from State to State. She died in the Crimea, in 1824, on the

* In this book, Chateaubriand wrote: "If there existed in Europe a Tribunal to judge nations and monarchs in the name of God, and to prevent wars and revolutions, this Tribunal would be doubtless the masterpiece of policy, and the highest degree of social perfection"

estate of Prince Galitzin (Alexander's oldest friend) one year before Alexander quitted his imperial throne—also when he was in the Crimea.

Madame de Kruedener did not convert Alexander to "Mysticism"—that is, to Christianity; he was already a Christian when he met her. He found in her a kindred soul, one who intuitively understood his psychological state, and naturally, therefore, in her society and that of her small group of friends, the Tsar met with a sympathy and an encouragement in this difficult time (Napoleon had just discovered and announced the unfriendly treaty made against the Tsar by Austria, France, and England) that he was unable to find among the Machiavellian diplomatists who were in Paris during the Allied occupation in 1815. So Talleyrand, Metternich, and Castlereagh were furious, and said and wrote many ungracious things about Madame de Kruedener. Did these treacherous diplomatists expect the Tsar to admit them to intimate friendship? Madame de Kruedener wrote: "They fear Alexander's thirst for conquest, but they don't understand him. They might offer him the whole world; he would not accept it, for his soul is devoted to more sublime things." Madame de Kruedener has been called "a charlatan" by those who are eager to belittle Alexander and the Holy Alliance. But there are few ambassadors' widows who will forsake wealth, luxury, beautiful clothes, and brilliant society, and live in a cottage on black bread and potatoes, while practically carrying out the doctrine "Take no thought for the morrow."

When Alexander was in London in 1814, he, at his own request, with his sister the Grand Duchess

Catherine, attended a Friends' meeting in the St. Martin's Lane meeting-house. The Society of Friends presented him with an address; to the deputation he said that on the subject of worship he agreed entirely with Friends—that it was "an internal and spiritual thing."* In parting with the deputation, the Tsar said: "I part from you as from friends and brethren," and his manner to them was affectionate and dignified.† (This was before he met Madame de Kruedener.) Next year, in September, 1815, Thomas Clarkson, the great worker for the Suppression of the Slave Trade (who was not a Quaker), went over from London to Paris, and had an interview with Alexander, immediately after his return from the Plain of Vertus, where he had announced the Holy Alliance. Thomas Clarkson saw the Tsar at the Palais Bourbon; the Tsar expressed his great sympathy for Clarkson's efforts for the African slaves, and asked about the Friends whom he had met in London the previous year. The Tsar then said that the two hours' conversation that he had with Friends in London was "among the most agreeable hours which he had spent in England," and it had "made a very serious impression on his mind, such an one, indeed, that he believed he should never forget it," and it seemed to him "as if its members (the Society of Friends) approached nearer the primitive Christians than any other people—he might say the same of their doctrines." Alexander then said, "I embrace them more than any other people; *I consider myself as one of them.*"‡

* "Life of William Allen," vol. I, p. 197.

† *Op. cit.*, p. 200.

‡ Devonshire House Reference Library. Manuscripts. J.T.

The Tsar did not forget his Quaker friends in England, when he returned to Russia. Through Count Lieven, it was arranged for a small party of Friends to go to Russia, to cultivate the marsh lands near Petrograd. The party settled at Okta, and were there for some time, busily farming. The Tsar visited them at their farm several times, driving out by himself, unattended by his suite. Also the Empress Elizabeth visited the farmers.*

In 1819, two Friends, Stephen Grellet and William Allen, were travelling on the Continent, on missionary work, and stayed for some months in Petrograd. The Tsar had written to his old friend, Prince Galitzin, commanding that the two Quakers were to be treated as his guests. Grellet and Allen had weekly two-hour interviews with Prince Galitzin, who was President of the Bible Society. Also they had several interviews with the Tsar, who talked to them most frankly about his soul-experiences and the origin of the Holy Alliance. In his "Memoirs," Stephen Grellet (an American Quaker, of French origin) relates that the Tsar told them that in 1812, when the French army was advancing under Napoleon into Russia, Galitzin gave the Tsar a Bible, and recommended him to study it. He had never seen a Bible before, though he was a member of the Orthodox Greek Church. He resolved to read it every day, and kept his resolve. The Bible came to him as a wonderful revelation. He told the two worthy Quakers: "The Lord by His Divine Spirit was also pleased to give me an understanding of what I read therein; it is to this inward Teacher

* See "Quaker Pioneers in Russia," by Jane Benson.

alone that I am indebted."* So, through the Napoleonic campaign, on the field of battle, after witnessing the slaughter of human beings, the Tsar of All the Russias read the New Testament for the first time. The contrast between the words of that Voice of Love in Palestine and the battle-scenes he witnessed was unforgettable. Sitting in his imperial palace at Petrograd, with Stephen Grellet and William Allen on either side of him on the sofa, the Tsar told them "how great his soul's travail had been that wars and bloodshed might cease for ever from the earth; that he had passed sleepless nights on account of it, deeply deploring the woes and misery brought on humanity by war, and that whilst his mind was bowed before the Lord in prayer, the plan of all the crowned heads joining in the conclusion to submit to arbitration whatever differences might arise among them, instead of resorting to the sword, had presented itself to his mind in such a manner that he rose from bed, and wrote what he then so sensibly felt; that his intentions had been misunderstood or misrepresented by some, but that love to God and to man was his only motive in the divine sight."† Here, then, Stephen Grellet, the devout American Quaker, gives an authentic account of the disputed origin of the idea of the Holy Alliance. It did not come from Madame de Kruedener. The Tsar had told Thomas Clarkson, in Paris, that he considered himself to be a Quaker. Would it not, therefore, be correct to state that in the Holy Alliance we see the Quaker statement of international relations?

* "Memoirs of S. Grellet," vol. I, p. 321.

† Grellet. *Op. cit.* p. 321.

Moreover, the Holy Alliance, if regarded as between nations, and not only between monarchs, is the expression of the true Slav character, which is neither militarist nor imperialist, but wishes to live in peace and friendship with all nations. In one of the most recent and accurate accounts of the present (1918) condition of Russia, Michael Farbman states: "The Russian workers, the students, and the whole of the intelligentsia hated the army consciously as the instrument of oppression and the tool of the autocracy. On their part, it was a frank and unsparing animosity, a glowing hatred. The broad masses of the people certainly could not share this animosity—and yet the fear of the army and the dislike of a soldier's life were even greater among simple people. . . . I will not attempt to explain this dislike and fear of the army in Russia. I believe it to be an indication of the native pacificism of the Russian people. But I am concerned to point out that the Russian army was never an object of popularity, affection, or esteem to the Russian people. It was always only tolerated as an evil."* This frank statement by a Russian who understands his native country better than any English writer can understand it, corroborates the earlier statement in this essay—that the Russian Slavs have been driven on to conquer other nations by their autocratic rulers, and that in the Holy Alliance Alexander expressed the true Russian Slav character.

The Grand Duke Nicolas gives a long letter from Alexander to Galitzin,† in which the Tsar states that the idea of the Holy Alliance came to him at

* Michael Farbman. "Russia," p. 73.

† "L'Empereur Alexandre I," vol. I, p. 225.

Vienna, to finish the Congress, but on the return of Napoleon from Elba, he saw that he must wait to execute the idea until Napoleon was conquered. At last, at Paris, God put it into his heart to accomplish the vow which he had made at the Congress, and "brought me to write down on paper the Act, as you know it." This interesting letter from Alexander to his old and most faithful friend, Prince Galitzin, is written just as the Tsar would have talked intimately and revealingly to Stephen Grellet and William Allen, but the Grand Duke Nicolas observes that it shews "mental derangement."* Now Gibbon and Plotinus had different types of mind; but they were both quite sane. There are many cultured men and women to-day who consider that Plotinus had a more highly evolved type of mind than Gibbon. No doubt if Gibbon had read about the subliminal mind, he would have written magnificently eloquent and scornful sentences—at which the friends and admirers of Plotinus would quietly smile. Is every religious reformer "mentally deranged"? Alexander was the religious reformer of international relations; he tried to place them on a Christian basis. The Holy Alliance, in fact, is a further expression of Dante's argument in "De Monarchia"—that there is a Divine goal for Humanity on this small earth.

At the Congress of Verona, in 1822, Alexander said to Chateaubriand (who was much better qualified to understand him than all the Machiavellian diplomatists), "What have they not done to break the Holy Alliance? They have tried to put obstacles in my way to wound my pride: they have openly

* "In the Confederation of Europe," p. 221, Alison Phillips repeats this observation.

insulted me; they do not understand me, if they believe my principles are founded on vanity, or can be crushed by resentment. . . . What need have I to increase my Empire? Providence has not put 800,000 soldiers at my disposal to satisfy my ambition, but to protect religion, morality, and justice, and to make these principles of order the rule on which human society rests."* During the same conversation, Alexander said: "There can no longer be such things as English, French, Russian, Prussian, or Austrian policy, which must, for the welfare of all, be admitted in common by subjects and sovereigns."† Chateaubriand reported these words to the French Chamber of Peers. He wrote that Alexander "was as great in mind as Napoleon was in genius: his words and his actions were stamped with a character of magnanimity which were wanting in the great man by whose glory he was eclipsed."‡ Also, he stated that "the Tsar considered himself merely as an instrument in the hands of Providence, and he arrogated no merit to himself."§

Czartoryski also tells us that the Tsar Alexander was not ambitious. Nor was he vain: after his accession he never sat for his portrait to be painted. Yet the Machiavellians were convinced that he aimed at making himself Dictator of Europe! If such had been the case, there would have been some reference to this aim in his letters to his favourite sister, the Grand Duchess Catherine. But there is

* Chateaubriand. "The Congress of Verona," p. 241.

† *Op. cit.*, p. 240.

‡ *Op. cit.*, p. 201.

§ *Op. cit.*, p. 205.

no such reference in this volume of intimate letters, of which the Grand Duke Nicolas, in his preface, writes: "His estimates, astonishing in their correctness of different personages, stamp him as a keen gauger of men, an enlightened judge of the merits and shortcomings of individuals," and that "these letters bear witness to clearness and firmness of view, to perfect confidence in taking a decision and determining it beforehand."* It is strange that some of these letters were written at the same period as the Tsar's letter to Galitzin, of which the Grand Duke Nicolas has a different opinion!

The Grand Duke admits that all the measures taken afterwards prove the inflexible will of Alexander to realize "his favourite idea" of an alliance of a religious character. Gentz confirmed this statement; he observed that Alexander had not written "a single memorandum or diplomatic document in which this system has not been represented as the glory of this century and the salvation of the world."

On September 26, 1815, Alexander proclaimed the Holy Alliance, at a grand review of the Allied army, held on the Plain of Vertus, near Châlons. The document was signed by Alexander, the Emperor of Austria, and the King of Prussia. All the Christian monarchs of Europe were to be invited to join the Alliance. The Tsar brought the treaty to Castlereagh, who was then in Paris, and handed a copy to him to send to the Regent for signature. Castlereagh afterwards wrote: "The Duke of Wellington happened to be with me when the Emperor called, and it was not without difficulty

* "Scenes of Russian Court Life." With Preface and edited by the Grand Duke Nicolas Mikhaïlovitch.

that we went through the interview with becoming gravity," also that the Holy Alliance "erred by its excellence." Here, indeed, is a magnificent subject for a picture by a great artist! The representatives of Great Britain—of the British Empire—smile at the first Christian treaty put before European monarchs! It was Mephistopheles and Faust—in a sense full of fate for Europe.

The Regent was not allowed by his Ministers to sign the document. He wrote a letter signifying his approval of the principles of the Holy Alliance. Eventually, the treaty was signed by every European Sovereign, except the Sultan of Turkey, the Pope, and the Regent of the British Empire.* But from the time of Castlereagh's Mephistophelian smile in Paris began the secret design of the diplomatists to wreck the Holy Alliance.

It was unfortunate that public opinion and many writers confused the Holy Alliance with the Quadruple Alliance, formed at Paris in 1815, between England, Russia, Austria, and Prussia. This Alliance became the Quintuple Alliance, when it was joined by France in 1818 at the Conference of Aix-la-Chapelle. To the Holy Alliance were generally attributed projects of interference in the internal affairs of States, and the suppression of democracy. But the Holy Alliance was signed by every European Sovereign—with the three exceptions named—and all these Sovereigns were not present at the Conferences of Aix-la-chapelle in 1818, of Troppau in

* In 1825, the Regent, as George IV, regarded with dismay Canning's policy of isolation and disruption, and wrote to Canning's Cabinet, regretting the results of this policy. Canning welcomed "the healthy spirit of free competition among nations," and worked to end the Confederation of Europe.

1820, of Laibach in 1821, and of Verona in 1822, nor were all the Sovereigns represented at these Conferences. It is, therefore, inaccurate to blame the Holy Alliance for the proceedings at any of these Conferences. And it is obvious that if all the signatories to the Holy Alliance had carried out its principles "to take for their sole guide the precepts of that Holy Religion"—it would have been impossible for them to suppress democratic ideals and ambitions in the various States, either by legislation, or any form of interference. It was the Troppau protocol that confirmed the doctrine of intervention, and this protocol England refused to sign.

The chief practical effect of the Holy Alliance was the summoning in 1899 of the first Hague Conference, by the Tsar Nicholas II. The President of the Conference, M. de Beaufort, in his first speech to the delegates, referred to the earnest wish of the Tsar Nicholas II "to realize the desire expressed by one of his most illustrious predecessors, the Emperor Alexander I—that of seeing all the nations of Europe united for the purpose of living as brethren, aiding each other to their reciprocal needs." The two Hague Conferences have been the greatest combined attempts yet made to place the Law of Nations on an agreed and reasonable basis.

And in the same week as the official announcement of the Holy Alliance, the Massachusetts Peace Society was formed, and the Secretary at once communicated with Alexander and Prince Galitzin. In the same year, the London, Paris, and Brussels Peace Societies were formed, and since then Peace Societies have been formed all over the world. Also since then, a vast network of International Societies has

arisen : they hold frequent Conferences, and promote that inter-State goodwill and harmony which is of greater importance for the future of humanity than the imperialist aims of diplomatists. Alexander had not one of these pacifist forces to help him in 1815. He was alone, with a few faithful friends, among a crowd of mocking diplomatists and not too friendly Sovereigns, who hindered and thwarted him in every way. Yet his life was not a tragic failure. For all time he stated the Christian standard of international relations—a still higher standard than international law, made by State jurists, can ever give. The tragedy for Europe was that in 1815 neither the monarchs nor the diplomatists were fitted to carry out the principles of the Holy Alliance. Alexander I and suffering Europe cried in vain for a Benjamin Franklin or a President Wilson to help to establish the Federation of Europe—to which Pitt had given his assent.

In the epilogue to "War and Peace," Tolstoy gives a remarkable analysis of the state of Europe during the Napoleonic wars, and his portraits of Napoleon and Alexander at the end of their lives, are impressive. Of Napoleon he wrote: "For a few years this man, alone on his lonely island, played a sorry comedy to himself, lied and intrigued as he strove to justify his actions now that justification was no longer necessary, and showed the whole world what men had taken for strength so long as it had been guided by an unseen hand. The Dispenser of all had ended the drama and stripped the chief actor of his motley, so that he stood revealed to the world." Of Alexander, Tolstoy wrote: "So long as the war was a national one, this actor took

no part in it, since he was unnecessary, but as soon as ever a general European war was seen to be inevitable, this actor appeared in his place at the proper moment, and, uniting the European nations in one, led them to their goal. The goal was reached, and, the final battle of 1815 having been fought, Alexander found himself at the summit of human power. How did he use that position? The man who was the peacemaker of Europe, who from his earliest years had striven only for the good of his people, who had been the chief defender of Liberal innovations in his country, who, now that he possessed the utmost measure of power, possessed also the utmost capacity for benefiting his nation, while the exiled Napoleon was making childish, knavish plans for desolating humanity if ever the chance should come to him again—the man, Alexander I, who had thus fulfilled his destiny, felt the hand of God upon him, and suddenly, recognizing the nothingness of the evanescent power that was his, turned away from it, and committed it into the hands of men whom he despised, with the words: ‘Not unto me, not unto me, but unto Thy Name! I am even such a man as yourselves. Suffer me, therefore, to live my life as a man, and to think of my soul and of God.’ ”

It will be observed that Tolstoy does not state that Alexander died. The official account given in histories is that Alexander died on December 1, 1825, at Taganrog, a place in the Crimea, whither he had gone with the Empress Elizabeth, who was in failing health. But there is a legend, widely believed in Russia, and supported by several Russian writers, that Alexander did not die, but abdicated, and after-

wards lived for many years in Siberia, as a hermit called Theodor Kuzmich. For some time the Tsar had been wearied of the almost fruitless struggle with the Machiavellians, and reactionary forces in Russia, and it was known that he wished to abdicate. Prince Peter Wolkonsky, who was an old friend of Alexander, maintained that the idea of abdication really came to the mind of the Emperor, and that if the Empress Elizabeth had died during his lifetime, the Tsar would not only have abdicated, but he would have been capable of retiring to a monastery.* A posthumous work by Tolstoy (not yet translated into English) is the imaginary diary of the hermit Theodor Kuzmich, who strongly resembled Alexander, and who died at a great age, at Tomsk, in Siberia. Those who loved Alexander most—and his personal attendants were devoted to him: his family called him “our angel”—could not have wished him to retain a throne of which he was utterly wearied. Like the Indian Emperor, Asoka, who became a Buddhist monk, probably Alexander I abdicated the throne of Russia, and lived as a hermit in Siberia.†

In 1823, Canning dealt a final blow to the Holy Alliance. He wrote to Bagot, British ambassador to Russia: “Things are getting back to a wholesome state again. Every nation for itself and God for us all. Only bid your Emperor be quiet, for the time for Areopagus and the like of that is gone by.”

Nearly a century has passed since Canning wrote these words. Now, after infinite suffering, England finds that the “time for Areopagus” is *not* “gone

* “L’Empereur Alexandre I,” vol. I, p. 293.

† See Appendix.

by." On the contrary, it is just before us. In 1815, the Monarchs of Europe signed the Holy Alliance. They then had their chance, but as autocrats, they lost it for ever. In this century there must be a Holy Alliance of Democracy.

THE ACT OF THE HOLY ALLIANCE

In the name of the Most Holy and Indivisible Trinity.

Their Majesties the Emperor of Austria, the King of Prussia, and the Emperor of Russia, having, in consequence of the great events which have marked the course of the three last years in Europe, and especially of the blessings which it has pleased Divine Providence to shower down upon those States which place their confidence and their hope in it alone, acquired the intimate conviction of the necessity of settling the steps to be observed by the Powers, in their reciprocal relations, upon the sublime truths which the holy religion of our Saviour teaches;

They solemnly declare that the present Act has no other object than to publish, in the face of the whole world, their fixed resolution, both in the administration of their respective States, and in their political relations with every other Government, to take for their sole guide the precepts of that Holy Religion, namely, the precepts of Justice, Christian Charity, and Peace, which, far from being applicable only to private concerns must have an immediate influence upon the counsels of Princes, and guide all their steps, as being the only means of consolidating human institutions and remedying their imperfec-

tions. In consequence, their Majesties have agreed on the following articles:—

Art. 1. Conformably to the words of the Holy Scriptures which command all men to consider each other as brethren, the Three contracting Monarchs will remain united by the bonds of a true and indissoluble fraternity, and, considering each other as fellow-countrymen, they will, on all occasions and in all places, lend each other aid and assistance; and, regarding themselves towards their subjects and armies as fathers of families, they will lead them, in the same spirit of fraternity with which they are animated, to protect Religion, Peace, and Justice.

Art. 2. In consequence, the sole principle of force, whether between the said Governments or between their subjects, shall be that of doing each other reciprocal service, and of testifying by unalterable goodwill the mutual affection with which they ought to be animated, to consider themselves all as members of one and the same Christian nation; the three allied Princes, looking on themselves as merely delegated by Providence to govern three branches of the One family, namely, Austria, Prussia, and Russia, thus confessing that the Christian world, of which they and their people form a part, has in reality no other Sovereign than Him to whom alone power really belongs, because in Him alone are found all the treasures of love, science, and infinite wisdom, that is to say, God, our Divine Saviour, the Word of the Most High, the Word of Life. Their Majesties consequently recommend to their people, with the most tender solicitude, as the sole means of enjoying that Peace which arises from a good conscience, and which alone is durable, to strengthen

themselves every day more and more in the principles and exercise of the duties which the Divine Saviour has taught to mankind.

Art. 3. All the Powers who shall choose solemnly to avow the sacred principles which have dictated the present Act, and shall acknowledge how important it is for the happiness of nations, too long agitated, that these truths should henceforth exercise over the destinies of mankind all the influence which belongs to them, will be received with equal ardour and affection into this Holy Alliance.

*** The Comte de Saint-Simon (1760-1825), in "*De la Réorganisation de la Société Européene*" (published in 1814, during the Congress of Vienna), proposed a political Union of Europe, by a Parliament with two Chambers and a King. Saint-Simon was lineally descended from Charlemagne, and was the nearest relative of the Duc de Saint-Simon. He served under Washington in the American Revolution. He observed the French Revolution, but took no active part. Then he dedicated all his talents and wealth to his new Social Science, and was reduced to extreme poverty. In "The New Christianity," one of his latest writings, Saint-Simon reproached the Princes of the Holy Alliance, and wrote: "Become good Christians! Cease to consider armed soldiers, nobles, heretical clergy, and perverse judges as your principal supporters: united in the name of Christianity, learn to accomplish all the duties which it imposes on the powerful. Remember that it commands them to employ all their force to increase, in the most rapid manner possible, the social happiness of the poor." Saint-Simon's writings are one of the fountain-heads of modern political thought.

APPENDIX I

THE TEMPLE OF DELPHI

THE temple at Delphi was the religious metropolis of ancient Greece. Its geographical position made it easy of access by all the principal Greek communities. It stood a few miles north of the Gulf of Corinth, in surroundings that were grand and impressive. "The wild and rugged beauty of the scene," remarks Dempsey, "the towering summit of snow-clad Parnassus; the dark and mysterious gorge between the glittering Phaedriades; the streams of mysterious sources issuing from the very rocks; the sonorous echoes reverberating from the sides of the cliffs; the frequent earth shocks; the sudden alternations of brilliant sunshine and dark shadow—all these features were singularly calculated to strike the superstitious minds of by-gone ages. Even now the whole place seems redolent of mystery, and can evoke, under favourable conditions, certain feelings of enthusiasm not unlike the ancient spirit of prophecy. Even the modern traveller is struck by this scene of stern and awful majesty, and comes to the conclusion that no other spot perhaps in Europe was so formed by nature to work upon the religious temperament, and that for the ancients it was supremely fitted for the utterance of the oracles of the gods."* Delphi was mentioned by Homer (*Iliad* ix. 404-5): It is said that Agamemnon consulted the Delphic oracle before beginning the Trojan war. Even then it was an ancient and wealthy shrine. It existed in the Mycenaean Age. Excavators have found distinct traces of its early connexion with Crete, and the Minoan civilization. In the most glorious period of Greek art, there were in the temple votive gifts from States, Emperors, and Kings, worth many millions. Immense wealth, too, came from Hellenic cities and colonies as annual tributes; pilgrims who consulted the oracle paid fees,

* T. Dempsey, M.A., B.D. "The Delphic Oracle."

also States or peoples who received honours from the Amphictyonic Council. In A.D. 60, Nero is said to have carried away 500 statues from Delphi, and in the time of Pliny the Elder there were 3,000 statues at Delphi, which had been several times plundered. In the temple was a curious conical stone called "Omphalos," which was believed to mark the centre of the world. The motto "Know Thyself," and a mystic "E" were carved on the temple walls. In those days, the temples served as banks; they issued coins, lent money to the State and to individuals, and owned much property. Thus the Amphictyonic Council had to inspect the land belonging to the temple at Delphi, to see that the tenants paid rent, to increase the capital by investments, to arrange the Pythian games every four years, and to see that the various States repaired the roads leading to the temple. In 548 B.C. the temple was burned down, and the Council arranged for its rebuilding and sent people to collect funds from the civilized world; Amasis, King of Egypt, contributed, and ample funds poured in. About 490 B.C., Pindar (the laureate of Delphi) sang of the "magnificent temple at divine Pytho," and in "Ion" Euripides celebrated some of its glories. After the temple had been destroyed by an earthquake, the board of Commissioners occupied with its restoration was an international one: an inscription on stone gives accounts of expenses down to 325 B.C. The oracle at Delphi was delivered by a virgin priestess, who was seated on a golden tripod placed over a chasm, from which vapours ascended, and were by many Greeks believed to cause the inspiration of the priestess. Her replies to questioners were put into hexameter verse by a priest, and were often enigmatical. Hellenes believed that the replies came directly from Apollo—the god of healing, harp-music, lyric poetry, and lawful order. The temple became a common centre of advice for all Greece, and even for dwellers beyond its borders. The oracle was consulted by philosophers, statesmen, Asiatic Monarchs, Kings, and Roman Emperors. Solon, Lycurgus, Croesus, Socrates, Alexander the Great, Xenophon, and the Emperor Julian, all obtained advice from the Pythian priestess at Delphi. Plutarch in his

busy old age was a priest of Apollo at Delphi, and has, in his essays, given much useful information about the oracle and the temple. In one of Plutarch's Dialogues, which takes place at Delphi, a leading speaker was Demetrius, who was on his way home to Tarsus from Britain; a Greek inscription on a bronze tablet referring to Demetrius is now in York Museum; he was probably employed in the Roman Government at Eboracum, and may have gone from York to Delphi. Any Greek city that wished to found a new colony sent ambassadors to Delphi, so the priests gained much political information and power. Apollo was believed to be greatly interested in political systems. In his "Republic" Plato wrote, "To the Delphian Apollo there will remain the most important, the noblest, and the chiefest acts of legislation." Socrates was a firm believer in the Delphic oracle, which declared him to be "the wisest of all men," and he claimed to have received a divine recognition from the oracle. Delphi, however, did not procure the political unity of Greece, but must have had great influence on its religious unity. Dr. Farnell maintains that "from the eighth century onwards it (the Delphian oracle) is the most potent Panhellenic force in Greek religious institutions. It directed the counsels of States, and had at times the opportunity of inspiring their legislation; it fostered and aided by invaluable advice the expanding colonization of Greece, and was able thereby to bind the new colonies by indissoluble ties to Delphi. It might claim even to dispose of territory. In religious matters its influence was of the greatest, and it helped to diffuse a general system of purification from bloodshed; and when after the fifth century its political authority waned, it served in some sort as a confessional whereto troubled and conscience-stricken minds might resort. The records almost, in fact, suggest an ambition on the part of Delphi to play the same part in relation to the Greek cities as the mediaeval papacy played in relation to the States of Christendom."* It was over this religious metropolis of ancient Greece that the Amphictyonic Council had the supreme control.

* "The Hibbert Lectures, 1912."

APPENDIX II

THE COLLEGE OF FETIALS

THE College of Fetials was one of the oldest Roman institutions. Livy relates that it was founded by the second King of Rome—"a man of renowned justice and piety—Numa Pompilius. He was as conversant as any one in that age could be with all divine and human law" (Book I. xviii). The Fetials were a college of Roman priests, numbering about twenty, patricians and plebeians, who were chosen for life. The president was elected by his colleagues, and was called Prince of the Fetials. The name may have been taken from Jupiter Feretrius, the god of peace and treaties. These priests acted as guardians of the public faith—that is, of international laws and customs. The Greeks called them "guardians of the peace." When the Roman Republic had any dispute with a politically organized State, the Fetial priests asked for an explanation and for satisfaction. An interval of thirty-three days was allowed for a reply. Then the matter was put before the Roman senate. The priests decided if war might be lawfully declared, performed solemn religious rites at a formal declaration of war, and arranged and controlled the ratification of peace. On the conclusion of a treaty, their services were absolutely essential. They also controlled ambassadorial law, and other allied subjects. Their duties as heralds and ambassadors were considered sacred, and their persons were inviolable. They acted as spokesmen for the Republic in all dealings with foreign States. Without a formal and public declaration of war by the Fetial priests, after a careful examination of the cause in dispute, every war was considered to be unjust and impious. The Fetials kept the State international archives, and gave opinions to the Senate on alleged violation of treaty rights. They were sacred political officers of State, judges, ministers, and guardians of "*jus*"; also of "*fas*"—that is, of sacred law received from oracles and auguries, and of the inspired word. Their decisions were not often disputed, and there was no appeal from their decisions. They also acted as mediators and arbitrators, and opposed violent

measures unless all other ways of settlement had failed. Without the clear approval of the Fetial priests, no Roman consul, general, or soldier could lawfully fight. Livy says that the Fetials acted down to his days—the reign of Augustus Caesar. But during the later Republic and the Empire, some of the formalities were omitted, and the College disappeared about the fourth century A.D. And with its disappearance coincided the lack of international justice and law leading to the mediaeval anarchy and the fall of the Roman Empire in the West. The College of Fetials was, in fact, a sacred Court of International Law and Justice, deriving its sanction from the gods. Dante is evidently referring to this high standard of international justice, when he writes of the ancient Colleges.

APPENDIX III

AUGUSTUS CAESAR

DANTE does not call Augustus "Emperor," but "dives," and states that it was "a perfect Monarchy." This statement is not borne out by recent historians. E. Meyer, Fustel de Coulanges, and G. Ferrero all maintain that Augustus was actually President of the Roman Republic, as "princeps" and first citizen. In the fourth volume of his "Greatness and Decline of Rome," Ferrero lucidly explains the position, and shews that Augustus restored the ancient Republic with some important changes. In "a Short History of Rome," p. 66, Ferrero remarks: "The prevailing theory of all schools of thought during the nineteenth century was that Augustus availed himself of his good fortune to found a monarchy at Rome, but that he took the precaution to hide it under the outward forms of the old republic. This theory is, however, without foundation, either in the records of history, or in what may be called the logic of the situation. We must go down as far as Dio Cassius, an oriental writer of the third century of the Empire, before we find an ancient historian who

speaks of Augustus as a monarch. . . . Nor is it difficult to show that Octavian had neither the power nor the resources with which to found a monarchy like those by which the peoples of the East had hitherto been governed." Octavian received his authority from the Senate, and placed "himself at the head of the State as *first magistrate or president (princeps)* with legal and limited powers granted to him for ten years precisely as Cicero had advised in the *de Officiis* " (*op. cit.* p. 72). The post of Octavian as "princeps" was "the creation of a new, unique office, entirely republican, known by the title of *princeps*, a term and idea wholly Latin in meaning, and wrongly translated by the word "prince"; in our language the connotation of this word is entirely different; to the Romans it meant "chief," "principal," and should be translated by "president." (Ferrero, "Greatness and Decline of Rome," vol. IV. p. 134.) Fustel de Coulanges, in "La Monarchie Romaine," shews that even the Emperors in their speeches and official acts, spoke of "the Republic," and every prince recognized that he owed his post to the delegation from the Senate, by the "*lex regia*," which was passed at the beginning of every reign. E. Meyer, in "Kleine Schriften" maintains that Augustus, in accepting the Proconsular *imperium* and Consulship, was the actual President of the Republic and the Senate. The clear understanding of the real status of Augustus is essential to the clear understanding of "De Monarchia," for in the second part of the essay Dante argues that Christ, by His birth in Palestine while it was a part of the Roman Empire, sanctioned the Roman jurisdiction, for Christ "gave assurance by deed that the edict of Augustus, who exercised the authority of the Romans, was just."

APPENDIX IV

WILLIAM PENN

THE most recent account of the difficulties of carrying out Quaker ideals in the early government of Pennsylvania, and of the faults of Penn's first Constitution, is

in "Political Leaders of Provincial Pennsylvania," by Isaac Sharpless. The volume contains a series of biographies by a thoroughly competent authority. In an able criticism of President Sharpless' book, "The Nation" (New York, September 20, 1919) remarks:—

"Our author fails to point out that these early quarrels, which brought Penn's 'Holy Experiment' so near to failure, had their origin, not in the fighting zest of politicians, but in the anomaly of a Quaker's attempting to establish an ideal system of government under the ægis of a feudal charter. This charter, with its proprietary prerogatives, class distinctions, and feudal incidents and practices, made Penn an absolute lord and landed proprietor, and vested in him rights and powers that were strange attributes for a Quaker, and wholly foreign to the principles that he had always professed. Why, with his lofty ideals of government and apparent sympathy for 'democracy,' as understood in his day, Penn should have been willing to receive such a charter from the hand of the King or have made no attempt to modify its provisions in the interest of the Sidneyesque principles in which he believed, has never been satisfactorily explained. Perhaps the truth lies in the fact that Penn was at bottom an aristocrat and a courtier, and accepted this vice-regal office and these vice-regal powers with the idea of granting, as had other absolute proprietors before him, an octroyed frame of government, designed with the best intentions in the world to meet the expectations of the people who had been attracted to his colony by the promises he had made.

"But octroyed constitutions—whether as 'concessions and agreements,' or 'frames of government'—were not popular in colonial America, and proprietary benevolence, no matter how inspired with reverence for the common good, was sure to fail as a permanent foundation for a 'free colony.'"

In 1696 Penn published a plan for the union of the American colonies, which was, write Sharpless (*op. cit.* p. 28) "probably the first suggestion of the movement which culminated about a century later in the Federal Constitution and Union."

APPENDIX V

ALEXANDER I AND THE HERMIT THEODOR KUZMICH.

A RUSSIAN friend, who has read my chapter on the "Holy Alliance," has kindly contributed the following note and accounts from Russian books not yet translated into English:—

There is a story connected with the death of Alexander I at Taganrog. It runs thus. Alexander did not die on the date given and at the place mentioned. Some one else was buried instead of the Emperor. He himself lived on, as a monarch who had put his crown and sceptre aside, in order to give himself to a life of solitary and expiatory communion with God. In due course, the Emperor who had thus slipped out of the known world, was recognized by an exiled court servant, in the Siberian exile, Theodor Kuzmich, who lived at Tomsk. Similarity of form and manner, and disposition led people to see in Kuzmich the Tsar of Russia, who after a wondrous, famous, and yet tragic life, ended his days as a lowly, devout saint. Those Russian writers who maintain this belief are Prince V. V. Baryatinski, K. N. Mikhailov, and others. Count Leo Tolstoy based upon this strange story an imaginary *memoir* of Alexander I, written by him as Theodor Kuzmich; this posthumous work by Tolstoy is not yet translated into English.

In a book on the subject by Prince V. V. Baryatinski, published in 1912, he examines all the evidence, and concludes by stating: "In my opinion, the Emperor Alexander I did not die at Taganrog, but withdrew from the world, and passed away in 1864 in the person of Theodor Kuzmich. I am convinced of this, having studied all the essays and documents of the opponents of this point of view."

The Russian historian Schilder wrote: "There still remains for us, in a few words, to deal with the popular rumours which spread in Russia in 1826: they were due to the unexpected death of Alexander I at Taganrog, and to the unusual circumstances of the accession to the throne of his brother, the Emperor Nicolas Pavlovich.

The most absurd rumours and tales arose and spread under the protection of the utter want of publicity which prevailed at the time, which favoured their development among the ignorant masses of the people. At the time, the Russian Government collected a multitude of reports of these rumours, which were worthy of the attention of an historian, as the undoubted product of the popular fancy, which tried, according to its own power to explain the occurrences of that period of disturbances. A special characteristic of all these various narratives is this—they all agree in one point, the assertion that the Emperor Alexander I did not die at Taganrog, that instead of him, another person was buried, and that he himself, in some secret manner, slipped away somewhere, but it was not certain where.

“ Gradually the popular tales regarding the events of 1825 ceased, and the contemporary written investigations of the matter were deposited in State archives. Then, suddenly, in the second half of the present century (nineteenth) unexpectedly and with new force the old and long-forgotten stories re-appeared. But at the time, they were concentrated on a mysterious old man, who had appeared in Siberia, and died on January 20, 1864, at, it is supposed, eighty-seven years of age, in Tomsk. The personality of this hermit, called Theodor Kuzmich, roused an official correspondence about ‘ a certain old man, about whom false rumours are circulated among the people.’ The legend, which had spread from Tomsk through Siberia, and then all over Russia, consisted in this: that Theodor Kuzmich was none other than the Emperor Alexander I, who had hidden himself under the name of that old man, and who devoted himself to the service of God. Then, apart from oral tradition, there began to appear printed information about the miracles and prophecies of that mysterious hermit. At last, in 1891, there appeared in Petrograd, a special monograph about the life and deeds of the old man, Kuzmich, which went through several editions. There is nothing certain about the enigmatic Theodor Kuzmich until he appeared in Siberia. In 1836, near the town of Krasnoupinsk, in the province of Perm, a man sixty years of age was arrested as a vagabond,

punished with twenty strokes of the whip, and exiled to Siberia. From 1837 began the hermit life of the old man, according to various descriptions, which made him famous in Siberia, surrounded him with an aureole of sanctity, and only ended in 1864 on his grave, within the precincts of Alexsylosky monastery at Tomsk. A cross was erected with this inscription: 'Here lies buried the body of the Most Blessed Elder Theodor Kuzmich, who died at Tomsk, on January 20, 1864.'

"Theodor Kuzmich carried his secret with him to the grave. . . . According to accounts, he was tall, broad-shouldered, with a stately carriage, so that by his fine appearance, as well as by his quiet, grave speech, he made a fascinating impression on his companions. All were at once struck by the extraordinary stateliness of his figure, and by the manner and movements of the old man; in his gait and speech, and particularly by the magnificent features, by the mild look of the eyes, by the charming sound of his voice, and by the wonderful language he used. At times he appeared stern, and even commanding. All this induced his guests to bow the knee, and to kneel at his feet. In all the wide-spread facsimile photographs of a portrait of Theodor Kuzmich, he is shewn as standing in his cell, in a long white gown, tied with a girdle, a grey-headed old man, with a long beard; one hand rests on his breast, the other is fixed in his girdle: in the corner of the poor cell are seen a crucifix and the image of the Blessed Virgin. The face of the old man suggests the features of the Emperor Alexander I."

APPENDIX VI

TER MEULEN'S LIST OF INTERNATIONAL SCHEMES

In "Der Gedanke der Internationalen Organisation in seiner Entwicklung"* (not yet translated into English) a Dutch jurist, Dr. Jacob Ter Meulen, gives interesting accounts of the following number of international plans

* Martinus Nijhoff, "The Hague, 1917."

by individuals, written or proposed between 1300 and 1800.

Pierre Dubois (France). ✓
 König Georg von Podebrad (Bohemia). ✓
 Erasmus.
 Pope Leo X.
 François de la Noue.
 Emeric Crucé.
 Hugo Grotius.
 Henry IV.
 Rachel.
 William Penn.
 John Bellers.
 Saint Pierre. ✓
 Cardinal Alberoni. ✓
 Toze.
 Von Loen.
 Saintard.
 Auge Goudar.
 Johann Frans von Palthen.
 Rousseau. ✓
 De la Harpe and Guillard.
 Von Lilienfeld.
 Anonymous Proposal for a "Holy Alliance."
 Karl Gottlob Günther.
 A Peace Project of 1787.
 Jeremy Bentham. ✓
 Schindler.
 Palier de Saint-Germain.
 Schlettwein.
 Kant. ✓

LIST OF BOOKS CONSULTED

CHAPTER I

Homer and the Homeric Hymns.
 Plato: The Republic.
 Polybius: Histories. Two vols.
 Plutarch: Lives of Cleomenes, Agis, Aratus, Theseus,
 Philopoemen, Themistocles, Flaminius, Aemilius,
 Pericles, and Aristides the Just.

- Livy : History of Rome.
- Thucydides : The Peloponnesian War. Translated by Jowett.
- Herodotus : History. Two vols.
- Cicero : Offices.
- The Plays of Euripides. Translated by Gilbert Murray.
- Aeschylus : The Eumenides.
- Grote : History of Greece. Vol. II.
- Curtius : History of Greece. Vol. I.
- Holm : History of Greece. Four vols. .
- Prof. J. B. Bury : History of Greece.
- A. E. Zimmern : The Greek Commonwealth.
- W. Warde Fowler : The City-State of the Greeks and Romans.
- Hicks and Hill : Greek Historical Inscriptions.
- L. R. Farnell : The Higher Aspects of Greek Religion.
- Gomperz : Greek Thinkers. Four vols.
- C. Delisle Burns : Greek Ideals.
- Prof. G. Murray : The Age of Euripides.
- Prof. Burrows : Discoveries in Crete.
- L. R. Farnell : The Cults of the Greek States. Five vols.
- Fustel de Coulanges : The Ancient City.
- A. E. Zimmern : The Ideal of Citizenship.
- The Journal of Hellenic Studies : Vols. IX and XXIV.
- Coleman Phillipson : The International Law and Custom of Ancient Greece and Rome. Two vols.
- Dempsey : The Delphic Oracle.
- Sir Henry Maine : Ancient Law.
- Ernest Barker : The Political Thought of Plato and Aristotle.
- Ernest Barker : Greek Political Theory.
- E. A. Freeman : History of Federal Government. Two vols.
- A. Hamilton : The Federalist.
- Smith's Dictionary of Greek and Roman Antiquities. Third edition, 1890.
- Ency. Brit.* Eleventh edition, 1910-1911.
- Woodrow Wilson : The State.

CHAPTER II

- Dante : Works.
- Viscount Bryce : The Holy Roman Empire.

- Dean Church : Dante.
- P. H. Wicksteed : Dante and Aquinas.
- Boccaccio : Life of Dante.
- Dr. Moore : Dante and his Early Biographers.
- Marsilius : The Defence of Peace.
- Vinogradov : Roman Law in Mediaeval Europe.
- P. Villari : Mediaeval Italy.
- P. Villari : The two first Centuries of Florentine History.
Two vols.
- Hastings Rashdall : The Universities of Europe in the
Middle Ages. Two vols.
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- E. Jenks : Law and Politics in the Middle Ages.
- Viscount Bryce : Studies in History and Jurisprudence.
Two vols.
- Justinian : The Institutes. Translated by Moyle.
- Justinian : The Digest. Translated by Munro.
- Macchiavelli : The Prince.
- Grauert : Dante und die Idee des Weltfriedens.
- P. J. Toynbee : Dante. Studies and Researches.
- Hallam : Europe during the Middle Ages. Two vols.
- P. Villari : The Life and Times of Machiavelli. Two
vols.
- J. Williams, LL.D. : Dante as a Jurist.
- Fustel de Coulanges : Nouvelles Recherches.
- Sismondi : History of the Italian Republics.
- Mazzini : Essays. (The Foreign Quarterly Review, 1884.)
- T. E. G. Gardner : Dante and the Mystics.
- Lord Acton : History of Freedom.
- Prof. C. Diehl : Théodora, Impératrice de Byzance.
- Dr. Moore : Studies in Dante.
- J. B. Bury : A History of Freedom of Thought.
- H. W. C. Davis : Mediaeval Europe.
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- Georges Renard : Guilds in the Middle Ages.
- The Cambridge Medieval History. Vols. I and II.

CHAPTER III

- Duc de Sully : Mémoires.
- Lavisse et Rambaud : Histoire Générale. Vol. V.
- Péréfixe : Life of Henri IV.

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 Isaac Sharpless : Political Leaders of Provincial Pennsylvania.

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 Weber : Der Friede von Utrecht.
 Thomas Jefferson : Autobiography.
 The Compleat History of the Treaty of Utrecht.

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- Jean Jacques Rousseau : Œuvres.
 The Political Writings of J. J. Rousseau. Edited by C. E. Vaughan. Two vols.
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 E. Caird, LL.D. : The Critical Philosophy of Kant. 2 vols.
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